



**U.S. Department of Justice**

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July 25, 2016

Ellen F. Rosenblum  
Attorney General  
Oregon Department of Justice  
1162 Court Street NE  
Salem, OR 97301-4096

Re: Oregon's Performance Plan for Mental Health Services for Adults with Serious and Persistent Mental Illness

Dear Ms. Rosenblum:

For several years, the United States Department of Justice and the State of Oregon have engaged in a collaborative process to resolve the United States' investigation of the State's compliance with the integration mandate of Title II of the ADA and *Olmstead v. L.C.*, 527 U.S. 581 (1999), as they apply to adults with serious and persistent mental illness. During that time, Oregon has been engaged in transforming its health care system – a transformation that has included the integration of the systems delivering physical and mental health care, the expansion of coverage under Oregon's Medicaid program (the Oregon Health Plan), and the development of improved quality of services through an outcome-driven system. As we noted in our November 2012 Agreement, that health transformation process provided a unique opportunity for the State to address the concerns underlying the United States' investigation by embedding reform in the design of the State's health care system. Indeed, the Agreement noted "the State's intent to use this health reform process to better provide individuals with serious and persistent mental illness with the critical community services necessary to help them live in the most integrated setting appropriate to their needs and achieve positive outcomes."

Since November 2012, the State and the United States have had extensive discussions about steps the State has undertaken or will undertake to develop or expand services that will help individuals with serious and persistent mental illness live

successfully in community settings, including steps to divert such individuals away from unnecessary contact with law enforcement and to effective community services. The State has memorialized the steps it will take in the attached Oregon's Performance Plan for Mental Health Services for Adults with Serious and Persistent Mental Illness ("Plan").

In light of the State's representations that it will implement the Plan and the State's commitment to provide quarterly data to the United States regarding the Plan's implementation and to meet annually with the United States and the Independent Consultant to discuss the State's progress in implementing the Plan, the United States is suspending its investigation into Oregon's community mental health system for a period of three years from the date of this letter, consistent with the timeframe for Oregon to implement the Plan. If, however, the State stops its efforts to comply with the Plan or is in a sustained period of noncompliance with the Plan, the United States may then proceed with its investigation. Further, at the end of that three-year period, the United States' investigation will terminate, as will the parties' November 2012 agreement. In light of the State's commitment to provide data to the United States regarding the Plan's implementation, the State is no longer required to provide the United States the data set forth in the matrix attached to the November 2012 Agreement.

In addition, the United States' investigation of the Oregon State Hospital, which has been pending since 2006, including all issues under the Civil Rights of Institutionalized Persons Act, 42 U.S.C. § 1997, is closed, apart from the outcomes set forth under "Performance Outcomes" in paragraphs D.19 through D.26 of the Plan.

Very truly yours,

BILLY J. WILLIAMS  
United States Attorney  
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STEVEN H. ROSENBAUM  
Chief, Special Litigation Section  
Civil Rights Division



cc: John Dunbar, Special Assistant Attorney General