



## Oregon Treatment Law Report Card

**Last Updated:** January 2026

**Method and scoring:** State involuntary civil commitment laws are evaluated using a 100-point grading scale. The scoring criteria are in accordance with TAC's values and policy recommendations. Up to 50 points are awarded to a state based on the quality of its inpatient commitment law, and up to 50 points are awarded based on the quality of its outpatient commitment law. *Grades reflect solely what is written in law and not how those laws are implemented or applied.* Final letter grades are computed using the following scale:

|             |    |       |    |       |    |       |    |             |   |
|-------------|----|-------|----|-------|----|-------|----|-------------|---|
| 97 or above | A+ | 87–89 | B+ | 77–79 | C+ | 67–69 | D+ | 59 or below | F |
| 93–96       | A  | 83–86 | B  | 73–76 | C  | 63–66 | D  |             |   |
| 90–92       | A- | 80–82 | B- | 70–72 | C- | 60–62 | D- |             |   |

| PART ONE: Inpatient Commitment Statute (up to 50 points)                              |                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |        |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Criterion                                                                             | Citation                                                      | Specifications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Points |
| 1. Citizen access to court, emergency evaluation (5 pts)                              | Or. Rev. Stat. §§ 426.228 to 426.233                          | <input type="checkbox"/> Authorizes family/enumerated adults (3 pts)<br><input type="checkbox"/> Authorizes any responsible adult (2 pts)                                                                                                                                                                                                                                                                                                                                                            | 0      |
| 2. Quality of emergency petition process (5 pts)                                      | Or. Rev. Stat. §§ 426.228 to 428.238                          | <input checked="" type="checkbox"/> Process specified and reasonable (2 pts)<br><input checked="" type="checkbox"/> Timelines specified and reasonable (2 pts)<br><input checked="" type="checkbox"/> Responsible entities identified (1 pt)<br><input type="checkbox"/> Requires certification by more than one professional (-2 pts)<br><input checked="" type="checkbox"/> Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts)<br><b>(See comment 1 below)</b> | 0      |
| 3. Emergency hold duration (5 pts)                                                    | Or. Rev. Stat. § 426.232(2)                                   | <input checked="" type="checkbox"/> At least 48-hour hold allowed (3 pts)<br><input checked="" type="checkbox"/> At least 72-hour hold allowed (2 pts)<br><b>Five judicial days</b>                                                                                                                                                                                                                                                                                                                  | 5      |
| 4. Citizen access to court, inpatient petition (5 pts)                                | Or. Rev. Stat. § 426.070(1)                                   | <input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts)<br><input checked="" type="checkbox"/> Authorizes any responsible adult (2 pts)<br><b>Any two persons, the county health officer, or any magistrate may initiate procedures</b>                                                                                                                                                                                                                                      | 5      |
| 5. Quality of criteria for harm or violence to self or others (up to 10 pts)          | Or. Rev. Stat. § 426.005(1)(f); Or. Laws 2025, Ch. 559, § 2-3 | <input checked="" type="checkbox"/> Contains explicit criteria (10 pts)<br><input type="checkbox"/> Language is vague/ambiguous (-3 pts)<br><input type="checkbox"/> Harm must be imminent (-3 pts)                                                                                                                                                                                                                                                                                                  | 10     |
| 6. Quality of criteria for grave disability/basic needs (up to 10 pts)                | Or. Rev. Stat. § 426.005(1)(f); Or. Laws 2025, Ch. 559, § 2-3 | <input checked="" type="checkbox"/> Contains explicit criteria (10 pts)<br><input type="checkbox"/> Language is vague/ambiguous (-3 pts)<br><input type="checkbox"/> Endangerment must be imminent (-3 pts)<br><input type="checkbox"/> Criteria require family to turn person out of home to receive treatment (-3 pts)<br><input type="checkbox"/> Unreasonably high risk of harm (-3 pts)                                                                                                         | 10     |
| 7. Quality of criteria for psychiatric deterioration (up to 10 pts)                   | Or. Rev. Stat. § 426.005(1)(f); Or. Laws 2025, Ch 559, § 2-3  | <input checked="" type="checkbox"/> Contains explicit criteria (10 pts)<br><input checked="" type="checkbox"/> Language is vague/ambiguous (-3 pts)<br><b>(See comment 2 below)</b>                                                                                                                                                                                                                                                                                                                  | 7      |
| SUBTOTAL                                                                              |                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 37     |
| PART ONE: Extra Credit                                                                |                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |        |
| 1. Specifies in which court a petition for inpatient commitment shall be filed (1 pt) | Or. Rev. Stat. § 426.070(3)(a)                                | <b>Circuit Court</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1      |
| Extra Credit                                                                          |                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1      |
| PART ONE TOTAL                                                                        |                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 38     |

| PART TWO: Outpatient Commitment Statute (up to 50 points)                    |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |        |
|------------------------------------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Criterion                                                                    | Citation                           | Specifications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Points |
| 1. AOT explicitly authorized (5 pts)                                         | Or. Rev. Stat. § 426.133           | <input type="checkbox"/> Requires local government to adopt (-3 pts)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 5      |
| 2. Citizen access to court for AOT (5 pts)                                   | OR Rev Stat § 426.070(1)           | <input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts)<br><input checked="" type="checkbox"/> Authorizes any responsible adult (2 pts)<br><input type="checkbox"/> Authorizes citizen petition to mental health system only (-2 pts)<br><b>Any two persons, the county health officer, or any magistrate may initiate procedures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 5      |
| 3. Criteria sufficiently broad to provide actual access (up to 10 pts)       | Or. Rev. Stat. § 426.133(2)–(3)    | <b>Evaluate applicable provision only:</b><br><input type="checkbox"/> If inpatient/outpatient criteria are the same:<br><input type="checkbox"/> Inpatient criteria include psychiatric deterioration standard (10 pts) <u>or</u><br><input type="checkbox"/> No psychiatric deterioration standard, adequate grave disability standard (5 pts)<br><b>or</b><br><input checked="" type="checkbox"/> If outpatient criteria are distinct from inpatient criteria:<br><input checked="" type="checkbox"/> Allows consideration of length of treatment history ≥ 36 months (2 pts)<br><input type="checkbox"/> Does not exclude periods of incarceration or hospitalization (-1 pt)<br><input checked="" type="checkbox"/> Does not limit application to those currently dangerous or unstable (4 pts)<br><input checked="" type="checkbox"/> Does not limit application to those refusing service/lacking insight (4 pts) | 10     |
| 4. Authorizes AOT directly from community (5 pts)                            | Or. Rev. Stat. § 426.130(2)(b)(B)  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 5      |
| 5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)     | Or. Rev. Stat. §§ 426.130, 426.133 | <input checked="" type="checkbox"/> Process specified and reasonable (1 pt)<br><input checked="" type="checkbox"/> Timelines specified and reasonable (1 pt)<br><input checked="" type="checkbox"/> Responsible entities identified (1 pt)<br><input type="checkbox"/> Periodic reporting to court required (1 pt)<br><input type="checkbox"/> Renewal process expressly specified (1 pt)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3      |
| 6. Procedures require the treatment plan to be shared with the court (5 pts) |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 0      |
| 7. Specifies procedures and consequences for nonadherence (5 pts)            |                                    | <i>(See comment 3 below)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 0      |
| 8. Duration of initial order                                                 | Or. Rev. Stat. § 426.130(3)        | <input type="checkbox"/> = 90 days (2 pts) <u>or</u><br><input checked="" type="checkbox"/> > 90 days (5 pts)<br><b>Not to exceed 12 months</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 5      |
| 9. Duration of continued order                                               |                                    | <input type="checkbox"/> = 180 days (2 pts) <u>or</u><br><input type="checkbox"/> > 180 days (5 pts)<br><b>Not specified</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 0      |
| SUBTOTAL                                                                     |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 33     |
| PART TWO: Extra Credit                                                       |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |        |
| 1. Specifies court for AOT (1 pt)                                            | Or. Rev. Stat. § 426.070(3)(a)     | <b>Circuit Court</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1      |
| 2. Court monitoring of voluntary settlement agreements (5 pts)               |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |        |
| Extra Credit                                                                 |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1      |
| PART TWO TOTAL                                                               |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 34     |

| FINAL SCORE    |    |
|----------------|----|
| PART ONE TOTAL | 38 |
| PART TWO TOTAL | 34 |

|                            |    |
|----------------------------|----|
| <b>TOTAL</b>               | 72 |
| <b>TREATMENT LAW GRADE</b> | C- |

**Comments:**

1. Emergency evaluation requires a belief that the person is “dangerous to self or others,” excluding other bases for inpatient commitment.
2. The criterion for psychiatric deterioration includes language about a specific treatment history, which is not needed for the inpatient context and overly complicates the determination.
3. Provisions on consequences for nonadherence for outpatient commitment under Or. Rev. Stat. § 426.275 cannot be applied to assisted outpatient treatment orders as Or. Rev. Stat. § 426.133(1) explicitly states that the order may not be considered a commitment under Or. Rev. Stat. § 426.130. It is recommended that Or. Rev. Stat. § 426.130 and Or. Rev. Stat. § 426.133 be combined to clarify and distinguish the different models of court-ordered outpatient treatment.