

The Senate Health and Human Services Committee offered the following substitute to SR 363:

#### A RESOLUTION

1 Creating the Mental Health Service Delivery Commission; and for other purposes.

2 WHEREAS, recent tragic events in the state mental hospitals, including the death and alleged  
3 abuse or neglect of Georgia's citizens living with mental illness, necessitate a comprehensive  
4 assessment of Georgia's mental health system and immediate responses to its inpatient and  
5 community based systems; and

6 WHEREAS, the State of Georgia has historically exercised the responsibility for the safety  
7 and care of its citizens who live with mental illnesses and substance abuse; and

8 WHEREAS, this responsibility has primarily resided in the Department of Health and later  
9 the Department of Human Resources which have administered and developed the state's  
10 public hospitals and its system of community care delivered through public and private  
11 facilities and individual providers; and

12 WHEREAS, the Department of Human Resources also manages Georgia's foster care system  
13 for children and adolescents in state custody, many of whom have suffered from abuse and  
14 neglect with resulting needs for behavioral health services and supportive foster families; and

15 WHEREAS, at the same time, Georgia's citizens who live with these conditions also reside  
16 in and sometimes receive treatment services from the Departments of Juvenile Justice, the  
17 Department of Corrections, and Georgia's local jails; and

18 WHEREAS, these systems and agencies have endured a decline in resources and staffing in  
19 the last decade, resulting in fragmented and often inadequate service delivery systems; and

20 WHEREAS, this decline in resources has manifested itself in deaths and escapes from our  
21 state mental hospitals and the housing of too many citizens living with mental illness and  
22 substance abuse in correctional systems not designed for treatment;

1 WHEREAS, Georgia needs an ongoing, effective advocacy system for children and adults  
2 living in and receiving services through its systems; and

3 WHEREAS, most of Georgia's citizens in need of mental health and substance abuse  
4 services can be safely housed and treated in our communities closer to their families with  
5 effective supports delivered by public and private providers and peer counselors; and

6 WHEREAS, Georgia has appropriately articulated and sought, but not yet fulfilled, a policy  
7 of de-institutionalization that holds promise for better allocation of resources and more  
8 sensitive services for its citizens and their families who endure mental illness and substance  
9 abuse; and

10 WHEREAS, the response to these issues requires the appropriate sizing and adequate staffing  
11 of our hospitals for Georgia's growing population and the full development and coordination  
12 of our community treatment and housing resources; and

13 WHEREAS, forging and coordinating that effort requires leadership and a multifocused,  
14 multiagency plan for the new century; and

15 WHEREAS, the General Assembly desires and seeks timely and effective action to ensure  
16 that the following challenges are addressed and solutions implemented in the immediate,  
17 short, and long terms:

- 18 (1) Assess the needs of our citizens, both children and adults, for improved behavioral  
19 health services and resources wherever they reside;
- 20 (2) Adequately size, staff, and secure our state hospitals for Georgia's population, taking  
21 into account which patients can be safely housed in community settings;
- 22 (3) Use public and private community resources to relieve overcrowding in state  
23 facilities and to develop the full continuum of services and effective supports so  
24 Georgia's citizens who live with mental illness and substance abuse may live and work  
25 when possible close to their families;
- 26 (4) Divert Georgians in need of treatment and assistance to community based resources  
27 whenever appropriate and provide adequate forensic and treatment services in our  
28 institutions;
- 29 (5) Aggressively develop housing and employment opportunities in our communities;
- 30 (6) Assure parity in insurance benefits coverage for mental health and substance abuse  
31 care so that health issues resulting from lack of adequate treatment are reduced and all

1 our financing resources are used to destigmatize and treat mental illness and substance  
2 abuse; and  
3 (7) Develop an organizational plan to coordinate or revitalize the agencies involved in  
4 mental health and substance abuse services or the financing of those services.

5 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
6 GEORGIA that there is created the Mental Health Service Delivery Commission to be  
7 composed of three members of the Senate appointed by the President of the Senate; three  
8 members of the House of Representatives appointed by the Speaker of the House of  
9 Representatives; a superior court judge experienced in dealing with mental illness and  
10 substance abuse appointed by the Council of Superior Court Judges; three citizens appointed  
11 by the President of the Senate to represent patients served by the systems described in this  
12 resolution, the advocacy groups for mental health or substance abuse, and the law  
13 enforcement community; and three citizens appointed by the Speaker of the House of  
14 Representatives to represent patients served by the systems described in this resolution, the  
15 advocacy groups for mental health or substance abuse, and the law enforcement community.  
16 The Speaker of the House of Representatives shall designate a member of the House and the  
17 President of the Senate shall designate a member of the Senate to serve as cochairpersons of  
18 the committee. The commission shall meet at the call of the cochairpersons.

19 BE IT FURTHER RESOLVED that the commission shall undertake a study of the  
20 conditions, needs, issues, and problems mentioned above or related thereto and recommend  
21 any actions or legislation which the commission deems necessary or appropriate. The  
22 commission may conduct such meetings at such places and at such times as it may deem  
23 necessary or convenient to enable it to exercise fully and effectively its powers, perform its  
24 duties, and accomplish the objectives and purposes of this resolution. The commission shall  
25 have the authority to call any party to testify and to require the attendance of witnesses and  
26 the production of books, records, and papers. The commission shall be authorized to retain  
27 the services of individuals or firms as determined appropriate by the commission. The  
28 members of the commission shall receive the allowances authorized for legislative members  
29 of interim legislative committees. The funds necessary to carry out the provisions of this  
30 resolution shall come from the funds appropriated to the House of Representatives and  
31 Senate. The commission shall make interim reports to the General Assembly on or before  
32 January 15, 2008, as to the progress of the commission in identifying the difficulties in the  
33 state's deliverance of mental health services and developing an organizational plan for  
34 coordinating the state's various systems and the financial and staffing needs of these systems  
35 to assure a safe and secure system of services. The commission shall make a second interim

1 report on or before January 15, 2009, as to anticipated initial implementation of action. It  
2 shall make a final report with a blueprint for action on or before June 30, 2009. The  
3 commission shall stand abolished on June 30, 2009.