

The House Committee on Health and Human Services offers 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, developmental disabilities, and  
8 substance abuse; and

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

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

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

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

21 WHEREAS, this decline in resources has manifested itself in deaths and escapes from our  
22 state mental hospitals and the housing of too many citizens living with mental illness,

1 developmental disabilities, and substance abuse in correctional systems not designed for  
2 treatment;

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

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

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

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

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

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

21 (1) Assess the needs of our citizens, both children and adults, for improved behavioral  
22 health services and resources wherever they reside;

23 (2) Adequately size, staff, and secure our state hospitals for Georgia's population, taking  
24 into account which patients can be safely housed in community settings;

25 (3) Use public and private community resources to relieve overcrowding in state  
26 facilities and to develop the full continuum of services and effective supports so  
27 Georgia's citizens who live with mental illness, developmental disabilities, and substance  
28 abuse may live and work when possible close to their families;

29 (4) Divert Georgians in need of treatment and assistance to community based resources  
30 whenever appropriate and provide adequate forensic and treatment services in our  
31 institutions;

- 1 (5) Aggressively develop housing and employment opportunities in our communities;
- 2 (6) Assure parity in insurance benefits coverage for mental health, developmental  
3 disabilities, and substance abuse care so that health issues resulting from lack of adequate  
4 treatment are reduced and all our financing resources are used to destigmatize and treat  
5 mental illness, developmental disabilities, and substance abuse; and
- 6 (7) Develop an organizational plan to coordinate or revitalize the agencies involved in  
7 mental health, developmental disabilities, and substance abuse services or the financing  
8 of those services.

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

24 BE IT FURTHER RESOLVED that the commission shall undertake a study of the  
25 conditions, needs, issues, and problems mentioned above or related thereto and recommend  
26 any actions or legislation which the commission deems necessary or appropriate. The  
27 commission may conduct such meetings at such places and at such times as it may deem  
28 necessary or convenient to enable it to exercise fully and effectively its powers, perform its  
29 duties, and accomplish the objectives and purposes of this resolution. The commission shall  
30 have the authority to call any party to testify and to require the attendance of witnesses and  
31 the production of books, records, and papers. The commission shall be authorized to retain  
32 the services of individuals or firms as determined appropriate by the commission. The  
33 members of the commission shall receive the allowances authorized for legislative members  
34 of interim legislative committees. The funds necessary to carry out the provisions of this  
35 resolution shall come from the funds appropriated to the House of Representatives and

1 Senate. The commission shall make interim reports to the General Assembly on or before  
2 January 15, 2008, as to the progress of the commission in identifying the difficulties in the  
3 state's deliverance of mental health services and developing an organizational plan for  
4 coordinating the state's various systems and the financial and staffing needs of these systems  
5 to assure a safe and secure system of services. The commission shall make a second interim  
6 report on or before January 15, 2009, as to anticipated initial implementation of action. It  
7 shall make a final report with a blueprint for action on or before June 30, 2009. The  
8 commission shall stand abolished on June 30, 2009.