

Senate Resolution 363

By: Senators Grant of the 25th, Tarver of the 22nd, Unterman of the 45th, Hill of the 4th, Goggans of the 7th and others

ADOPTED

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.