

Testimony to the Mental Health Trust Board, 5/15/20

We are asking the Mental Health Trust to help the state provide proper care and protection for psychiatric patients by improving laws and regulations. Disabled acute care psychiatric patients in Alaska receive second-rate care and protection. Here is why:

--State law AS47.30.660 (b) (13) contains no state standard of care for private facilities when caring for disabled psychiatric patients.—There should be a state standards requirement.

--State law AS47.30.847, grievance law for mostly disabled psychiatric patients—the law only applies to 5 facilities and lets the facilities write the patient grievance and appeal process.—Alaska is one state that does not set a state standard grievance procedure for psychiatric patients.

--The state, (DHSS), does no exit polls of psychiatric patient satisfaction after coming out of acute care psychiatric facilities or units.

--The state does not keep statistics of the number and type of psychiatric patient complaints or injuries during treatment or transportation in acute care psychiatric facilities or units outside of API.—There should be a requirement that the state keeps statistics.

--There is no state recognition of or plan of treatment for institutional trauma.

--By law routine safety checks into patient bedrooms, bathrooms or showers must be performed by the same gender staff as the patient. Hospital policies in a reasonable way do not see that the law is followed.

In 2017 at Alaska Psychiatric Institute there were 116 patients injured during treatment, 90 needed medical care or hospitalization. There is no mention of how many were injured by staff.

That leaves open the question of how many disabled psychiatric patients are injured in the 30 private psychiatric facilities or units. Until there are changes in laws or regulations the state cannot require private psychiatric facilities to provide the state those statistics.—That was the opinion of the legislative legal office in 2020.

In 2017 there were over 500 patient complaints at API—not a single patient could file a formal grievance—add on to that the patient complaints at 30 other psychiatric facilities or units—AS47.30.847 says there must be an impartial body to hear a patient’s complaint—the legislature has never established what the impartial body would look like or provided funding. Also, the state has never set up a formal appeal process to an independent agency.

All too often, when a disabled psychiatric patient is picked up for forced evaluation or treatment, they experience “fear, helplessness or horror” and have no way to complain.

We are asking the Mental Health Trust and news organizations to spotlight the mistreatment of disabled psychiatric patient and do something to help.

Mental Health Advocates, Faith Myers/ Dorrance Collins, 3240 Penland Pkwy,
Sp. 35, Anchorage, AK. 99508 907-929-0532

Reference Information: Disability Law Center, PsychRights, NAMI, Anchorage, Consumer Webb, All supported the passage of the law which provided gender choice of staff for intimate care of patients and also required facilities to perform routine safety checks into patient’s bedrooms, bathrooms and showers with the same gender staff as the patient. Hospitals have not written those policies and the state has not tried to enforce the law in a reasonable way, even in their own facility, API.