

Testimony to the Trust Authority Board, 1/24/2024

There are approximately 50,000 Trust beneficiaries.

There are approximately 10,000 Trust beneficiaries that rotate in and out of locked psychiatric facilities or units each year for a forced evaluation or treatment. These beneficiaries face unnecessary trauma, injuries and loss of rights.

At the minimum, the Trust Authority Board and management should request that the state protect Trust beneficiaries, people with a mental illness locked in facilities or units.

HB 172 required that a report must be sent to the Legislature. Here are a few facts that are in the report:

Psychiatric patients 18 and over in a locked facility have the right to gender choice of staff for intimate care by state law AS18.20.095. According to the report, only one hospital has written that policy.

Psychiatric patients must be informed of their rights, but according to the report, people with lived experience cannot recall being informed of their rights.

There is no state entity that enforces laws that were meant to protect psychiatric patients locked in facilities.

The Department of Health and Social Services was required by law to investigate complaints of Trust beneficiaries. According to a 2008 state Ombudsman's report, they had not investigated a psychiatric patient's complaint in 5 years.

The DHSS also has the ability to delegate their responsibilities according to state law AS47.30.660 (b) (13).

And the Department of Health and Social Services delegated their responsibility of investigating psychiatric patient's complaints to mostly the managers of psychiatric facilities.

Alaska may be the only state that lets managers of psychiatric facilities write the psychiatric patient's grievance and appeal process according to AS47.30.847.

The Trust Authority should advocate for these issues.

A statewide standardized grievance and appeal process for people in locked psychiatric facilities or units.

Psychiatric patients must be given a right by state law or regulations to file a grievance at the time of their choosing. As of now, patients can be put through an informal complaint process.

There must be an agency with the obligation of making sure that psychiatric patients are given the rights that were given to them by the Legislature: AS47.30.847; AS47.30.840; AS 18.20.095. As of now, patients are not getting all of their rights.

The state must be required by law or regulations to keep and share statistics with the Legislature and the general public of psychiatric patient complaints, injuries and traumatic events. Statistics must be provided to the state by any psychiatric facility or unit receiving direct state funding or grant money.

We are asking the Trust Authority to help protect Trust beneficiaries in the coming year.

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