

To: Senate Health and Welfare Committee
From: A.J. Ruben, DRVT Supervising Attorney
Date: January 17, 2017
Re: Issues of Concern for the Committee in 2017

Thank you for the invitation to testify before the Committee regarding issues of concern DRVT has identified in 2017. Disability Rights Vermont is an independent, private, non-profit agency mandated by federal law and designated by the Governor to protect and advance the rights of individuals with disabilities*. Additionally, DRVT is the *State's Mental Health Care Ombudsman* pursuant to 18 V.S.A. §7529. DRVT staff monitor and do outreach throughout Vermont in institutions, with service providers and peer groups, and in the community. We investigate and remediate allegations of abuse and neglect, provide services for victims of crimes with disabilities, and assist beneficiaries of Social Security benefits to overcome barriers to employment.

Vermont has a fundamentally well-structured community based system for delivering long term care services but our work has shown us that there is a lack of systemic capacity, including too few professionals to do the necessary work, too little funding to create and maintain robust community mental health and developmental disability supports, not to mention Traumatic Brain Injury supports, to effectively respond to the need.

* See: *Protection and Advocacy for Individuals with Mental Illness Act*, 42 U.S.C. § 10801 et seq; 42 C.F.R. Part 51 et seq; *Protection and Advocacy of Individual Rights*, 29 U.S.C. § 794(e) et seq, 34 C.F.R. Part 381 et seq.

The state needs to be more sensitive and responsive to the circumstances faced by people with disabilities, particularly psychiatric disabilities, when government fails to maintain the appropriate treatment system. These circumstances are particularly troubling for people being incarcerated, people held for days in Emergency Departments, or held in hospital units long past their need for that level of care, all due to lack of capacity in our community.

In order to respond effectively to these concerns, DRVT suggests the Committee consider:

1. Increasing the funding and human capacity to have police social workers, mobile mental health crisis teams, active peer support systems, and adequate supported housing options in all parts of Vermont;
2. In Corrections, getting rid of the “Alpha” segregation unit, and increasing “Bravo” unit-residential treatment type capacity, and creating the capacity to provide inpatient psychiatric treatment for prisoners immediately when necessary; and
3. Creating alternatives to long Emergency Department placements for involuntary patients.

Thank you for your consideration of these issues of concern for 2017.