

To: Senate Committee on Health and Welfare
Re: S.189
From: Disability Rights Vermont
Lindsey Owen, Executive Director
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Disability Rights Vermont is the Protection and Advocacy agency for the State of Vermont. As many of you probably know, the Protection and Advocacy system was established after horrifying and dehumanizing treatment of people with disabilities was exposed at Willowbrook, a school in New York, which was supposed to be providing care to these individuals. As a result of the widespread abuse occurring at this facility, congress enacted a series of legislation mandating that every state have a P&A agency to monitor, investigate and address abuse, neglect and serious rights violations experienced by people with disabilities. In Vermont, that is DRVT. DRVT is also designated by the Governor as the Mental Health Care Ombudsman. As the Mental Health Care Ombudsman, DRVT receives, reviews, and monitors the Critical incident Reports and Certificates of Need (reports of emergency involuntary procedures) involving individuals receiving mental health services. DRVT receives these reports from the Department of Mental Health.

Disability Rights Vermont came before this Committee on January 30, 2024 offering brief testimony related to Mental Health Advocacy Day. Initially, DRVT was under the impression that it was being asked to testify regarding S.189, therefore, the written testimony that can be found on the committee's webpage includes testimony from DRVT with more specific concerns and recommendations. Some of these may be resolved as a result of any later versions of the bill. DRVT was again before this committee more recently to testify regarding the latest draft of S.192 regarding the proposed Forensic Facility. While DRVT has been doing its best to stay up to date on all bills of interest to the people that we serve, any and all

Vermonters with disabilities, S.189 was not at the forefront of that focus until today.

Presently there is a list of entities the Department of Mental Health is supposed to consult with around mental health response service protocols and DRVT is not on that list. In addition to being the State's Protection and Advocacy agency, and the designated Mental Health Care Ombudsman for the state of Vermont, DRVT also serves on the Mental Health Crisis Response Commission along with many of the other members on the proposed list of entities to consult with around the development of guidelines. DRVT comes before this Committee today to strongly suggest that DRVT be specifically named in this list of consultants for the reasons stated above and those reflected in DRVT's testimony before this committee on Wednesday January 31, 2024. DRVT is happy to speak with this committee further as well as to why our involvement in this work is both a natural and appropriate fit.

Thank you for your consideration.

Lindsey Owen