

State mental health director to testify in D.C.

Community-based treatment will be topic at Senate hearing

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MONTGOMERY | Alabama Mental Health Commissioner Zelia Baugh is scheduled to testify Thursday at a U.S. Senate committee hearing on community-based treatment of people with mental illnesses and developmental disabilities.

Baugh was invited to testify about the Alabama Department of Mental Health's progress in transitioning from institutional care to community-based care in the wake of the U.S. Supreme Court's landmark Olmstead ruling in 1999.

She will appear before the U.S. Senate Committee on Health, Education, Labor and Pensions chaired by U.S. Sen. Tom Harkin, D-Iowa.

Friday is the 13th anniversary of the Olmstead ruling, in which the high court said individuals with mental illnesses have a right to community-based care instead of institutional care. The hearing is titled "Olmstead Enforcement Update: Using the (Americans with Disabilities Act) to Promote Community Integration."

"We were chosen because of the work we've done as a state and agency for the last few years with regards to downsizing state hospitals, our focus on community care and our closing last year of the Partlow Developmental Center," Baugh said Tuesday.

"What I was asked to do was talk about what Alabama is doing to de-institutionalize individuals and have their services provided in the community without Department of Justice intervention, how successful that has been so far," she said.

The W.D. Partlow Developmental Center in Tuscaloosa was the last state-operated facility for the developmentally disabled before it closed last year.

While it was being downsized and eventually closed, the state also ramped up efforts to downsize its mental health facilities and move patients to community settings.

Baugh, with Gov. Robert Bentley's blessing, originally planned to close four state mental health hospitals, including Tuscaloosa's Bryce Hospital and hospitals in

Mount Vernon, Decatur and Montgomery. The plan also called for closing the Taylor Hardin Secure Medical Facility in Tuscaloosa and changing the purpose of a new hospital under construction to replace Bryce.

Instead of remaining an inpatient psychiatric facility for adults, the new hospital would have housed court-committed — or forensic — patients who now are held at Taylor Hardin.

But after a public and legislative outcry, the state decided to keep the new Bryce as state mental hospital, and keep open the North Alabama Regional Hospital in Decatur and the Taylor Hardin Secure Medical Facility. The primary goal of the plan is to move as many patients as possible to community-based care.

“We’re doing it because it’s the right thing to do and it’s the best way for individuals to get the kind of treatment at the community level that is the most effective,” Baugh said.

The Senate hearing will include the secretary of the Delaware Department of Health and Social Services, Rita Landgraf, and Thomas Perez, assistant attorney general in the civil rights division of the U.S. Department of Justice.

The Justice Department recently intervened in Delaware because its patients with mental illnesses were not being treated in less-restrictive community settings. The department also concluded in December that Mississippi was violating the Americans with Disabilities Act’s mandate to serve people with developmental disabilities and mental illness in non-institutional settings.

Baugh said Alabama has made significant progress in moving mentally ill patients to community settings not only because of the Olmstead case, which originated in Georgia, but because of the 2003 settlement in the 33-year-old Wyatt v. Stickney federal lawsuit in Alabama.

The Wyatt lawsuit was filed over involuntarily committed patients receiving inadequate care and led to a nationwide shift in treatment away from institutions. As recently as 40 years ago, Bryce Hospital housed 5,000 patients.

“Today it’s 225,” Baugh said.

James Tucker, associate director of the Alabama Disabilities Advocacy Program that has gone to court on behalf of patients, said Alabama’s traditional mental health services compare well with other states.

“On certain issues, Alabama has made some significant progress,” Tucker said.

“Partly as a legacy of the Wyatt case and some good work since the close of that case,

the state Department of Mental Health has moved people from institutions to homes in the community.”

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