

State of Rhode Island and Providence Plantations

Budget



Fiscal Year 2013

Volume II – Human Services

Lincoln D. Chafee, Governor

Agency

Office Of The Mental Health Advocate

Agency Mission

To ensure the legal, civil, and special rights of people with mental illness in Rhode Island.

To protect the liberty interests and treatment rights of individuals subjected to involuntary commitment and to the involuntary administration of medication in psychiatric facilities, including penal inmates.

To protect the legal rights of clients of the mental health system by means of direct legal representation and/or referral to appropriate resources.

To monitor and evaluate the quality of services available to clients of the mental health system, and to investigate incidents. To address shortcomings and gaps in the services and programs administered by the mental health providers.

To address stigmatizing legal inequities and social barriers that impact upon the lives of individuals with mental illness by means of legislative advocacy, litigation, education, support for the mental health consumer movement, and by outreach to the public at large.v

Agency Description

The Office of the Mental Health Advocate accomplishes its mission by providing legal representation at involuntary commitment proceedings, monitoring procedures and policies at in-patient treatment facilities and community-based mental health programs, proposing and evaluating legislation, and litigating civil rights and treatment rights disputes. The Office also provides counsel to clients of the mental health system who bring complaints involving mental health issues and other issues vital to maintaining quality of life, such as housing and protection from creditors. The Office is also charged to protect the treatment rights of criminally insane persons and prison inmates in the forensic hospital (patients who are under criminal process) and to provide legal representation for indigent persons receiving in-patient substance abuse treatment.

Statutory History

The Office of the Mental Health Advocate was created in 1975 when the legislature re-wrote and reformed the Mental Health Law of Rhode Island. This reform was part of a national movement toward deinstitutionalization of mentally ill individuals, a movement which began in the 1950's and became a centerpiece of public policy in the 1970's after the United States Supreme Court declared that all states must provide Constitutional Due Process and legal counsel to individuals subjected to involuntary hospitalization. The original statute authorizing the Mental Health Advocate is codified at RI General Laws, Sections 40.1-5-13, 40.1-5-22 and 24 (Public Laws 1974, Ch. 119).

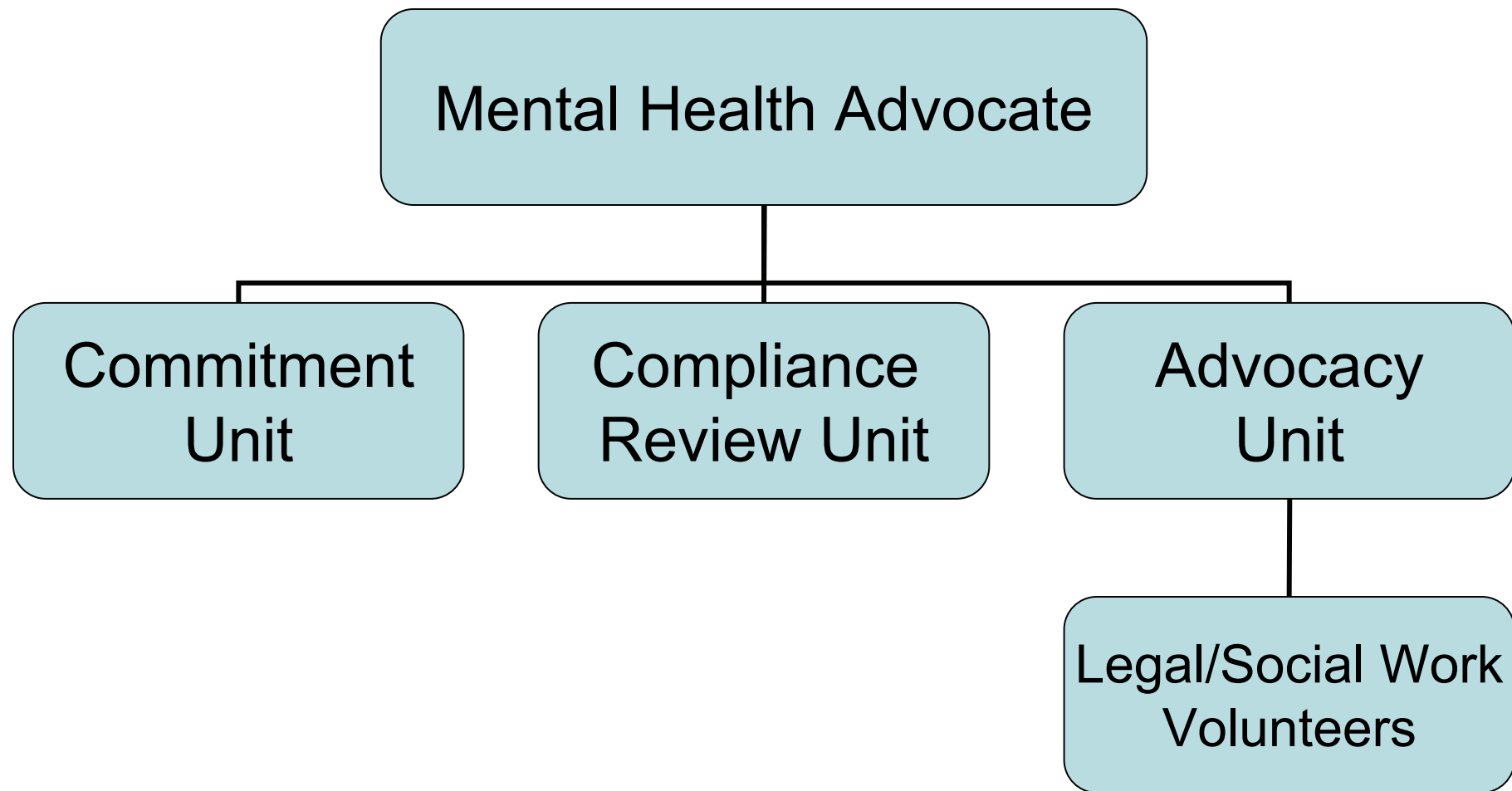
Budget

Office Of The Mental Health Advocate

	FY 2010 Audited	FY 2011 Audited	FY 2012 Enacted	FY 2012 Revised	FY 2013 Recommend
Expenditures By Program					
Central Management	381,030	399,837	468,718	413,172	447,119
Total Expenditures	\$381,030	\$399,837	\$468,718	\$413,172	\$447,119
Expenditures By Object					
Personnel	369,352	388,169	459,406	402,091	436,039
Operating Supplies and Expenses	11,678	11,668	9,312	11,081	11,080
Subtotal: Operating Expenditures	381,030	399,837	468,718	413,172	447,119
Total Expenditures	\$381,030	\$399,837	\$468,718	\$413,172	\$447,119
Expenditures By Funds					
General Revenue	381,030	399,837	468,718	413,172	447,119
Total Expenditures	\$381,030	\$399,837	\$468,718	\$413,172	\$447,119
FTE Authorization	3.7	3.7	3.7	3.7	3.7
Agency Measures					
Minorities as a Percentage of the Workforce	-	-	-	-	-
Females as a Percentage of the Workforce	50.0%	50.0%	50.0%	50.0%	50.0%
Persons with Disabilities as a Percentage of the Workforce	-	-	-	-	-
Litigation/Advocacy - Housing	80.0%	81.3%	80.0%	80.0%	80.0%
Objective	80.0%	80.0%		80.0%	80.0%
Litigation - Involuntary Petitions	24.2%	13.1%	20.0%	20.0%	20.0%
Objective	20.0%	20.0%		20.0%	20.0%
Compliance/Advocacy - Treatment	85.0%	84.3%	75.0%	75.0%	75.0%
Rights					
Objective	75.0%	75.0%		75.0%	75.0%

The Agency

Office of the Mental Health Advocate



Personnel

Office Of The Child Advocate Agency Summary

	FY 2012		FY 2013	
	FTE	Cost	FTE	Cost
Distribution by Category				
Unclassified	5.8	400,765	5.8	396,534
Turnover	-	(54,711)	-	-
Total Salaries	5.8	\$346,054	5.8	\$396,534
Benefits				
Defined Contribution	-	-	-	3,966
FICA	-	26,466	-	30,335
Medical	-	73,833	-	82,310
Payroll Accrual	-	-	-	2,347
Retiree Health	-	23,738	-	27,203
Retirement	-	79,520	-	83,981
Total Salaries and Benefits	5.8	\$549,611	5.8	\$626,676
Cost Per FTE Position		\$94,761		\$108,048
Statewide Benefit Assessment	-	12,977	-	14,869
Payroll Costs	5.8	\$562,588	5.8	\$641,545
Purchased Services				
Total Personnel	5.8	\$562,588	5.8	\$641,545
Distribution by Source of Funds				
General Revenue	5.4	512,848	5.4	595,483
Federal Funds	0.4	49,740	0.4	46,062
Total All Funds	5.8	\$562,588	5.8	\$641,545

Office Of The Mental Health Advocate Performance Measure Narratives

Central Management

Litigation/Advocacy - Housing

The Office of the Mental Health Advocate engages in housing rights advocacy on behalf of clients of the publicly funded mental health system. This advocacy includes discrimination in housing, lease compliance and eviction cases, among other things. This

Litigation - Involuntary Petitions

This performance indicator measures withdrawals and dismissals of involuntary petitions that seek to confine mentally disabled individuals in mental health treatment facilities. The measure is the percentage of involuntary commitment petitions filed in

Compliance/Advocacy - Treatment Rights

The Office of the Mental Health Advocate represents individuals engaged in treatment under the Mental Health Law, and also has jurisdiction (without regard to individual representation) to monitor compliance with treatment rights under the Mental Health L