

**VOLUME II: HEALTH AND HUMAN
SERVICES**

**OFFICE OF THE MENTAL HEALTH
ADVOCATE**

Agency Summary

Office of the Mental Health Advocate

Agency Mission

The Office of the Mental Health Advocate is directed by statute to insure the legal, civil, and special rights of people with mental illness in Rhode Island. This includes 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 ;,ital 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 and to provide legal representation for indigent persons receiving in-patient substance abuse treatment. In 1982, the office was charged by statute to monitor the care of and protect the civil rights of residents of the 29 licensed mental health group homes in the State. In 2002, the federal government enacted new confidentiality legislation, the Healthcare Information Privacy Protection Act (HJPPA). This office is responsible to protect the rights of patients under that new statute and is responsible to ensure that licensed mental health treatment providers comply with the law.

Agency Description

Involuntary Commitment - 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. Direct Representation and Referral of clients of the Mental Health System - To protect the legal rights of clients of the mental health system by means of direct legal representation and/or referral to appropriate resources. Advocacy for Improvements in the Mental Health System - 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 provided by the mental health system. Elimination of Stigma Associated With Mental Illness - 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 outreach to the public at large.

Statutory History

R.I. General Laws, Sections 40.1-5-13, 40.1-5-22 and 24 (Public Laws 1974, Ch. 119) and R.I. General Laws, Section 40.1-24.5-12, Public Laws 1982, Ch. 363.

Budget

Office of the Mental Health Advocate

	2021 Actuals	2022 Actuals	2023 Enacted Budget	2023 Revised Budget	2024 Recommended
Expenditures by Program					
Central Management	635,518	716,646	973,329	900,494	976,078
Total Expenditures	635,518	716,646	973,329	900,494	976,078
Expenditures by Object					
Salary and Benefits	563,629	611,080	841,034	756,967	863,170
Contract Professional Services	2,237	0	2,700	2,700	2,700
Operating Supplies and Expenses	68,433	105,566	128,595	139,827	109,208
Subtotal: Operating	634,300	716,646	972,329	899,494	975,078
Capital Purchases and Equipment	1,218	0	1,000	1,000	1,000
Subtotal: Other	1,218	0	1,000	1,000	1,000
Total Expenditures	635,518	716,646	973,329	900,494	976,078
Expenditures by Source of Funds					
General Revenue	635,518	716,646	973,329	900,494	976,078
Total Expenditures	635,518	716,646	973,329	900,494	976,078
FTE Authorization	4.0	4.0	6.0	6.0	6.0

Personnel Agency Summary

Office of the Mental Health Advocate

	FY 2023		FY 2024	
	FTE	Cost	FTE	Cost
Unclassified	6.0	504,659	6.0	517,276
Subtotal	6.0	504,659	6.0	517,276
Turnover		(52,844)		0
Total Salaries		451,815		517,276
Benefits				
Contract Stipends		1,500		0
FICA		34,681		39,571
Health Benefits		99,985		105,198
Payroll Accrual		0		3,004
Retiree Health		20,242		23,380
Retirement		130,898		154,309
Subtotal		287,306		325,462
Total Salaries and Benefits	6.0	739,121	6.0	842,738
Cost Per FTE Position		123,187		140,456
Statewide Benefit Assessment		17,846		20,432
Payroll Costs	6.0	756,967	6.0	863,170
Purchased Services				
Clerical and Temporary Services		200		200
Medical Services		2,000		2,000
Other Contracts		500		500
Subtotal		2,700		2,700
Total Personnel	6.0	759,667	6.0	865,870
Distribution by Source of Funds				
General Revenue	6.0	759,667	6.0	865,870
Total All Funds	6.0	759,667	6.0	865,870

Personnel

Office of the Mental Health Advocate

Central Management

		FY 2023		FY 2024	
		FTE	Cost	FTE	Cost
Unclassified					
ADMINISTRATIVE ASSISTANT	0323 A	1.0	66,676	1.0	68,343
MENTAL HEALTH ADVOCATE	0862 F	1.0	123,876	1.0	126,973
SOCIAL SERVICES CASEWORKER	0821 A	1.0	51,704	1.0	52,997
STAFF ATTORNEY III	0832 A	3.0	262,403	3.0	268,963
Subtotal Unclassified		6.0	504,659	6.0	517,276
Subtotal		6.0	504,659	6.0	517,276
Turnover			(52,844)		0
Total Salaries			451,815		517,276
Benefits					
Contract Stipends			1,500		0
FICA			34,681		39,571
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Performance Measures

Office of the Mental Health Advocate

Central Management

Involuntary Civil Commitment -- Number of Cases

The Office of the Mental Health Advocate provides direct legal representation to individuals subjected to involuntary civil commitment. The figures below represent the number of petitions for involuntary civil commitment where the respondent received representation from the Office of the Mental Health Advocate. [Note: This is a new measure and historic data is not available.]

	<i>Reporting Period: State Fiscal Year</i>				
	2020	2021	2022	2023	2024
Target	--	--	--	--	--
Actual	--	--	596	--	--

Involuntary Civil Commitment Case Outcomes

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 Civil Court that are dismissed or withdrawn. This performance measure is a rough indicator of the office's efforts to filter out petitions which lack sufficient merit to proceed with adjudication. The measure is related to the agency's stated objective to protect the liberty interests of individuals subjected to involuntary commitment in psychiatric facilities. [Note: This is a new measure and historic data is not available.]

	<i>Reporting Period: State Fiscal Year</i>				
	2020	2021	2022	2023	2024
Target	--	--	--	--	--
Actual	--	--	10.9%	--	--
