

Health and Human Services Function Summary

| Expenditures by Agency | 2017 Actuals | 2018 Actuals | 2019 Enacted Budget | 2019 Revised Budget | 2020 Recommended |
|--|---------------------|---------------------|----------------------------|----------------------------|-------------------------|
| Office Of The Mental Health Advocate | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Total Expenditures | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Expenditures by Object | | | | | |
| Salary and Benefits | 529,562 | 536,204 | 555,222 | 501,238 | 536,313 |
| Contract Professional Services | 335 | 0 | 2,200 | 2,200 | 2,200 |
| Operating Supplies and Expenses | 9,891 | 91,536 | 95,338 | 62,951 | 62,898 |
| Subtotal: Operating | 539,788 | 627,740 | 652,760 | 566,389 | 601,411 |
| Capital Purchases And Equipment | 1,111 | 1,991 | 500 | 1,000 | 1,000 |
| Subtotal: Other | 1,111 | 1,991 | 500 | 1,000 | 1,000 |
| Total Expenditures | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Expenditures by Source of Funds | | | | | |
| General Revenue | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Total Expenditures | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| FTE Authorization | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 |

Agency Summary

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.

Agency Description

The Office of the Mental Health Advocate is a law office comprised of three full time attorneys and one administrative assistant. The Office accomplishes its mission by providing legal representation and advocacy related to a number of issues unique to persons living with mental illness. These include representation at Civil Commitment Proceedings and Petitions for Instruction regarding substituted consent for medication; housing retention including defending tenants from eviction proceedings; and monitoring and ensuring right to treatment for forensic patients, that is persons involved in the criminal justice system who are deemed incompetent to stand trial, not guilty by reason of insanity, and who need specialized services that are not available in a correctional setting. The Office also engages in legislative advocacy, community outreach and education, collaboration in promoting policies and practices conducive to improving the Mental Health System and combating stigmatization and discrimination associated with mental illness. The Office also provides consultation to members of the Bar regarding clients with mental health issues, and responds to inquiries where direct representation cannot be provided by referral to appropriate services, legal or otherwise.

Statutory History

The Office of the Mental Health Advocate was created in 1975 when the Mental Health Law of Rhode Island was revised to reflect the national movement toward deinstitutionalization of mentally ill individuals and protection of civil, legal and liberty interests. This movement, begun in the 1950's, 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 statute authorizing the Mental Health Advocate is codified at RI General Laws Sections 40.1-5-13 through 40.1-5-25.

Budget

OFFICE OF THE MENTAL HEALTH ADVOCATE

| | 2017 Actuals | 2018 Actuals | 2019 Enacted Budget | 2019 Revised Budget | 2020 Recommended |
|--|----------------|----------------|---------------------|---------------------|------------------|
| Expenditures by Program | | | | | |
| Central Management | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Total Expenditures | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Expenditures by Object | | | | | |
| Salary And Benefits | 529,562 | 536,204 | 555,222 | 501,238 | 536,313 |
| Contract Professional Services | 335 | 0 | 2,200 | 2,200 | 2,200 |
| Operating Supplies And Expenses | 9,891 | 91,536 | 95,338 | 62,951 | 62,898 |
| Subtotal: Operating | 539,788 | 627,740 | 652,760 | 566,389 | 601,411 |
| Capital Purchases And Equipment | 1,111 | 1,991 | 500 | 1,000 | 1,000 |
| Subtotal: Other | 1,111 | 1,991 | 500 | 1,000 | 1,000 |
| Total Expenditures | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Expenditures by Source of Funds | | | | | |
| General Revenue | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| Total Expenditures | 540,899 | 629,731 | 653,260 | 567,389 | 602,411 |
| FTE Authorization | 4.0 | 4.0 | 4.0 | 4.0 | 4.0 |

Performance Measures

OFFICE OF THE MENTAL HEALTH ADVOCATE

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 performance measure is an indicator of housing cases which have been resolved favorably. [Note: Missing values appear as zeros in the measure.]

| | <i>Reporting Period: State Fiscal Year</i> | | | | |
|--------------------------|--|-------|-------|-------|-------|
| <i>Frequency: Annual</i> | 2016 | 2017 | 2018 | 2019 | 2020 |
| Target | 81.30 | 80.00 | 80.00 | 80.00 | 80.00 |
| Actual | 81.30 | 82.00 | 85.00 | 0.00 | |

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 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: Missing values appear as zeros in the measure.]

| | <i>Reporting Period: State Fiscal Year</i> | | | | |
|--------------------------|--|-------|-------|-------|-------|
| <i>Frequency: Annual</i> | 2016 | 2017 | 2018 | 2019 | 2020 |
| Target | 13.10 | 20.00 | 20.00 | 20.00 | 20.00 |
| Actual | 13.10 | 15.00 | 15.00 | 0.00 | |

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 Law. This performance measure is an indicator of treatment rights cases which were resolved favorably. The measure is related to the agency's stated objective to protect the legal rights of clients in psychiatric facilities. [Note: Missing values appear as zeros in the measure.]

| | <i>Reporting Period: State Fiscal Year</i> | | | | |
|--------------------------|--|-------|-------|-------|-------|
| <i>Frequency: Annual</i> | 2016 | 2017 | 2018 | 2019 | 2020 |
| Target | 84.30 | 75.00 | 75.00 | 75.00 | 75.00 |
| Actual | 84.30 | 90.00 | 90.00 | 0.00 | |

Personnel

Agency: OFFICE OF THE MENTAL HEALTH ADVOCATE

Central Management

| | FY 2019 | | FY 2020 | | |
|--|---------|------------|----------------|------------|----------------|
| | FTE | Cost | FTE | Cost | |
| Unclassified | | | | | |
| ADMINISTRATIVE ASSISTANT | 00323A | 1.0 | 59,367 | 1.0 | 61,609 |
| MENTAL HEALTH ADVOCATE | 00862F | 1.0 | 106,801 | 1.0 | 106,801 |
| STAFF ATTORNEY III | 00832A | 2.0 | 154,059 | 2.0 | 158,335 |
| Subtotal Unclassified | | 4.0 | 320,227 | 4.0 | 326,745 |
| Subtotal | | 4.0 | 320,227 | 4.0 | 326,745 |
| Turnover | | | (6,541) | | 0 |
| Total Salaries | | | 313,686 | | 326,745 |
| Benefits | | | | | |
| FICA | | | 23,998 | | 24,997 |
| Health Benefits | | | 43,006 | | 58,014 |
| Payroll Accrual | | | 1,813 | | 1,894 |
| Retiree Health | | | 18,759 | | 21,728 |
| Retirement | | | 86,109 | | 90,028 |
| Subtotal | | | 173,685 | | 196,661 |
| Total Salaries and Benefits | | 4.0 | 487,371 | 4.0 | 523,406 |
| Cost Per FTE Position | | | 121,843 | | 130,852 |
| Statewide Benefit Assessment | | | 13,867 | | 12,907 |
| Payroll Costs | | 4.0 | 501,238 | 4.0 | 536,313 |
| Purchased Services | | | | | |
| Clerical and Temporary Services | | | 200 | | 200 |
| Medical Services | | | 1,500 | | 1,500 |
| Other Contracts | | | 500 | | 500 |
| Subtotal | | | 2,200 | | 2,200 |
| Total Personnel | | 4.0 | 503,438 | 4.0 | 538,513 |
| Distribution by Source of Funds | | | | | |
| General Revenue | | | 503,438 | | 538,513 |
| Total All Funds | | | 503,438 | | 538,513 |

