

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-6398

AN ACT CONCERNING VARIOUS REVISIONS TO STATUTES CONCERNING
Title: THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES.

Vote Date: 3/12/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/3/2021

File No.: 154

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

The Public Health Committee
Department of Mental Health and Addiction Services

REASONS FOR BILL:

1. To allow Whiting Forensic Hospital patients to be present during searches of their personal belongings except when the police are conducting the search and have probable cause to believe that contraband or hazardous items are hidden in the patient's living area;
2. To add two members to the Whiting Forensic Hospital Advisory Board, two individuals with psychiatric disabilities, one of whom must have received inpatient psychiatric hospital service;
3. To allow the Department of Mental Health and Addiction Services (DMHAS) to establish and utilize a single electronic health record system that allows authorized personnel to access patient health records from any of the department's divisions and facilities for the purposes of diagnosing and treating patients and improving DMHAS operations.

RESPONSE FROM ADMINISTRATION/AGENCY:

Miriam Delphin-Rittman Ph.D., Commissioner, Department of Mental Health and Addition Services (DMHAS):

The Department of Mental Health and Addiction Services supports this legislation. The implementation of sections 1 and 2 address the agency's commitment to the health and

safety of both staff and patients. Amending the patient bill of rights to allow patients in the maximum-security wing of Whiting Forensic Hospital to be present during the search of their personal possessions, except when probable cause exists, is yet another step DMHAS is taking to foster an environment of positive change and relationship building with patients at Whiting.

The addition of two members to the Whiting Forensic Hospital Advisory Board with lived experience as individuals with a behavioral health disorder demonstrates DHMAS's continued commitment to the disability community and the advocacy community's slogan of "Nothing about us without us."

With an eye on improving future operations and outcomes for patients, staff, and the state, DHMAS supports new statutory language that will recognize DHMAS facilities as a single health care entity. Current statute recognizes DHMAS facilities as separate entities and would require each facility to purchase individual Electronic Health Records (HER) system.

The current system is difficult to manage and requires a voluminous amount of physical record sharing between facilities. This antiquated manual process impedes patient care and is a financial burden on the state. A single EHR system will streamline the administrative processes and allow staff to focus on patient care while improving patients' treatments with significant health care savings to the state.

Victoria Veltri, Executive Director, Office of Health Strategy (OHS):

The Office of Health Strategy supports this bill. Making the changes requested in section 3 of this bill to allow DHMAS to be a single health care entity and allow for the implementation of a single Electronic Health Record (HER) system will have a profound impact on the state's ability to deliver high quality healthcare while reducing costs.

A single EHR will provide a wealth of data to all parties involved. OHS will be able to provide significant analytics to multiple agencies and provide detailed recommendations to improve patient care, ways to lower healthcare costs, and the flexibility to support the constantly evolving healthcare delivery landscape into the future.

NATURE AND SOURCES OF SUPPORT:

Suzi Craig, Chief Strategy Officer, Mental Health Connecticut (MHC):

Ms. Craig and her organization support this legislation with one amendment to Section 1. MHC requests the removal of the new language that prevents patients from being present when their personal belongings are being searched "when such search is conducted by police officers and probable cause exists that contraband or hazardous items are hidden in the patient's living area".

Ms. Craig states that patients at Whiting in the maximum-security facility are already subject to a complete strip search when they enter the facility and there is no reason they need to be subjected to another search of their belongings when not present.

MHC also supports the addition of two new members with lived experience to the Whiting Forensic Hospital Advisory Board.

Kathleen Flaherty, Executive Director, Connecticut Legal Rights Project (CLRP):

Ms. Flaherty and the CLRP support this bill with the addition of an amendment to remove the new language in Section 1 not permitting the patient to be present when a personal items search is conducted by police. Ms. Flaherty states that Whiting has their own police force and it's the only reason they would ever call the police for a search. CLRP supports the addition of 2 members with lived experience to the Whiting Forensic Hospital Advisory Board.

Kelly McConney Moore, Interim Senior Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT):

The ACLU-CT shares support and concerns with Kathy Flaherty and the CLRP regarding Section 1 of this bill. They also request an amendment to remove the new language preventing the patient from being present during a personal item search "when such search is conducted by police officers and probable cause exists that contraband or hazardous items are hidden in the patient's living area". When that language is removed, they will be in complete support of this legislation. The ACLU-CT supports Section 2 of the bill which adds two new members with lived experience to the Whiting Forensic Hospital Advisory Board.

NATURE AND SOURCES OF OPPOSITION:

None

Reported by: Kate Hamilton

Date: 04/06/2021