

April 28, 2008

Honorable Guy Houston
California State Assembly
Capitol Building, Room 2130
Sacramento, CA 95814

RE: AB 2614 (Houston) - SUPPORT

Dear Assembly Member Houston:

Protection & Advocacy, Inc. (PAI), a non-profit advocacy organization that works to advance the rights of people with disabilities, supports AB 2614. AB 2614 is set to be heard by the Assembly Appropriations Committee on 4/30/08.

Existing law allows for the commitment of people who are mentally disordered to state hospitals and contains provisions governing liability for the cost of this care. These include liability for the costs of individuals who are committed because they are found not guilty by reason of insanity (NGI) in a criminal trial or who are found not competent to stand trial (IST) on a criminal charge.

This bill will remove financial liability to a patient, his or her family, or his or her estate, if the person was committed to a state hospital for the mentally disordered as a result of a verdict of NGI or a determination that he or she was IST in a criminal court.

This bill affects individuals with mental disabilities who are involuntarily placed in state hospitals to receive mental health services. The existing law has generated much controversy both among advocates and in the popular media. In May 2007, the Sacramento Bee ran several stories detailing the plight of one woman billed \$455 a day by the state, so her husband, who was found NGI, could be housed in Napa State Hospital. This bill responds directly and effectively to the concerns raised by the current law by preventing individuals and families from having to pay

hospital bills for certain involuntary commitments.

If and when an individual committed under NGI or IST status leaves a state hospital, access to financial resources plays a large role in becoming integrated into society again. The current law's effect is to potentially drain an individual's estate to pay for involuntary services and leave the individual with little to no resources upon release. The current law unnecessarily targets families of individuals under a NGI or IST commitment, along with other commitments, by holding them liable for the cost of service at the State Hospitals. AB 2614 puts the financial responsibility for care properly with the State.

Please feel free to contact me if you have any questions about our position on this bill.

Very truly yours,

A handwritten signature in black ink, appearing to read "Margaret Johnson", with a stylized flourish at the end.

Margaret Johnson, Esq.
Protection & Advocacy, Inc.
Advocacy Director

CC: Honorable Chair and Members, Assembly Appropriations Committee
CC: Mary Ader, Principal Consultant, Assembly Appropriations Committee
CC: Keith Ochwat, Legislative Director, Assembly Member Houston's office