

# ALASKA STATE LEGISLATURE

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#### **CS FOR HOUSE BILL 52 (HSS)am** “Minors & Psychiatric Hospitals”

#### **Sponsor Statement for Version “G.A” 4.28.26**

In 2022, the United States Department of Justice (DOJ) released a report after conducting an extensive investigation into the institutionalization of Alaskan children with behavioral health challenges at psychiatric hospitals and psychiatric residential treatment facilities. This report brought attention to the neglect, abuse, seclusion and restraints Alaskan children are facing in our psychiatric institutes. This report and the public outcry on these issues inspired House Bill 52, which aims to bring more transparency and parental & legal guardian oversight to the ways our minors are treated.

Due to a lack of community-based services, children are often placed hundreds of miles from their families and communities. As a result, many parents, unable to regularly visit treatment facilities, worry that their children may be vulnerable to abuse while away from home. Indeed, local and national reporting has raised concerns about the extensive use of seclusion and restraints on children inside Alaska’s facilities, including forced injection of sedatives. While the medical community agrees that treatment providers should only use these tactics as a last resort, in 2004, the Disability Law Center of Alaska uncovered an unreasonably high rate of physical, mechanical, and chemical seclusion and restraint: 261 incidents in a three-month period.

The institutionalization of children with behavioral health challenges can last weeks, months, or even years. Such long-term placement is devastating for all families and is especially traumatic for Alaska Native families who experienced the harm of family separation when the government forcibly removed their loved ones and sent them to boarding schools.

CSHB 52 (HSS) brings three reforms to reduce the risk of abuse, strengthen family connections, and improve the transparency of Alaska’s psychiatric hospitals. First, the bill ensures that children can maintain confidential communication with their parents or legal guardians while institutionalized. Second, the bill requires unannounced, thorough inspections of each psychiatric hospital in the state by public health officials twice annually. Third, the bill ensures that facilities are transparent about the use of seclusion and restraint by providing written notification to the minor’s legal guardian and the Department of Health (DOH) within 72 hours of the incident. The bill also requires DOH to write and release an annual report to the Legislature with data from these psychiatric hospitals where minors are held.

It is essential that children, parents & legal guardians, as well as the public know that the rights of our youth are protected and that the facilities treating young people are safe. This legislation aims to do so. I urge the body’s support and passage of CSHB 52 (HSS).