

## **42 USC § 10801 - Congressional findings and statement of purpose**

**(a)**The Congress finds that—

**(1)**individuals with mental illness are vulnerable to abuse and serious injury;

**(2)**family members of individuals with mental illness play a crucial role in being advocates for the rights of individuals with mental illness where the individuals are minors, the individuals are legally competent and choose to involve the family members, and the individuals are legally incompetent and the legal guardians, conservators, or other legal representatives are members of the family;

**(3)**individuals with mental illness are subject to neglect, including lack of treatment, adequate nutrition, clothing, health care, and adequate discharge planning; and

**(4)**State systems for monitoring compliance with respect to the rights of individuals with mental illness vary widely and are frequently inadequate.

**(b)**The purposes of this chapter are—

**(1)**to ensure that the rights of individuals with mental illness are protected; and

**(2)**to assist States to establish and operate a protection and advocacy system for individuals with mental illness which will—

**(A)**protect and advocate the rights of such individuals through activities to ensure the enforcement of the Constitution and Federal and State statutes; and

**(B)**investigate incidents of abuse and neglect of individuals with mental illness if the incidents are reported to the system or if there is probable cause to believe that the incidents occurred.