

Abuse and Neglect Report 8/22/2013

The Department of Health and Social Services (DHSS) is the Governing Authority of the Alaska Psychiatric Institute(API), an 80 bed locked psychiatric hospital. In a 12 month period, 2005 to 2006, 224 complaints were filed by patients. Three were sexual abuse allegations, eighteen concerning safety, and seventeen concerning medication, etc. All complaints were handled informally by API. Patients were unable to file a formal grievance in all 224 cases.

Moving forward to a 9-page report by Disability Law Center—April 2011, Patients unable to file a grievance in a fair way.

Move forward to 4/02/2012 and the new patient grievance procedure at API. Most patients at API with a complaint have to go through an informal complaint process. There is no time frame for completion of the informal complaint process. On level 1, management can grant itself a 30 day extension to resolve a patient's complaint without being required to tell the patient. Any complaint concerning a staff member or abuse and patients cannot file a traditional formal grievance, (page 4). The average stay for a patient is under 14 days.

According to DHSS, current psychiatric patient grievance procedure law AS47.30.847 does not apply to all psychiatric units that do civil commitments/ forced evaluations; Many psychiatric patients are not protected by the grievance procedure law.

We have reviewed over 40 grievance procedures from psychiatric units, hospitals and clinics. They all contain loopholes to protect the psychiatric facility and staff—not the patients.

Grievance procedure law gives patients a right to file a grievance but it does not give a time when they can do it. Patients should be given the right to file a grievance at the time of their choosing.—Approximately 30 thousand individuals receive psychiatric treatment each year.

In 2011 DHSS removed important grievance procedure requirements from 7AAC71.220.—(Changed to 7AAC12.890 (d)). DHSS is lessening the state's involvement in protecting disabled psychiatric patients in the grievance process. That is a mistake!

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