

**Beth Leibowitz,
Assistant State Ombudsman,**

9/29/'13

We appreciate your follow-up letter 9/26/13 in which the Department of Health and Social Services (DHSS) provided further clarification.

DHSS (the state) is required by law to investigate psychiatric patient complaints—Trust Authority beneficiaries. On the other hand, there is no state law or state regulations that says psychiatric patients must be informed of the state's obligation or the phone number of the state agency that is required to investigate their complaint.

DHSS (Alaska) have stated they have no interest or obligation in writing grievance procedure rules for private hospitals, even the ones that detain patients for civil commitments/ forced evaluation; There are about 7 of them. (Because of the wording, AS47.30.847 does not presently cover psychiatric units in a hospital.)

Mistreatment is when psychiatric patients are not properly informed or given their rights. In any given year there are approximately 26,000 psychiatric patients in Alaska, one quarter of those are listed as acute care or disabled.

All too often, when a disabled psychiatric patient having a psychotic break cannot file a complaint or appeal in a fair way and are not provided information, they wind up becoming a statistic.

Our complaint against DHSS is they have had over 30 years to write rules and support improvements in laws to protect psychiatric patients but they refuse to do so.

Cc: Disability Law Center
PsychRights
National Alliance for the Mentally Ill
Alaska Mental Health Board
Trust Authority Board
Rep. Pete Higgins
Gov. Sean Parnell
DHSS
Open Letter

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