

Liz Welch, Executive Director
Mississippi Department of Finance & Administration
501 North West Street Suite 1301, Woolfolk Building
Jackson, Mississippi 39201

October 28, 2020

Dear Ms. Welch –

We, the undersigned organizations, are writing with regard to the Coordinator of Mental Health Accessibility position created through Senate Bill (SB) 2610. We followed this legislation closely because our organizations are made up of and represent the people who are most affected by the issues this legislation was intended to address – people with mental illnesses and their families. Each and every day we work with people whose lives bear witness to the fact that Mississippi does indeed discriminate against people with mental illness and, as a result, unlawfully segregates them in institutional settings, in violation of the Americans with Disabilities Act.

Our primary concern is not the lawsuit, although the issues related to the lawsuit must be addressed in meaningful and systemic ways. Our concern is the lives of real Mississippians and the tremendous personal costs to them – and financial costs to the state – because of the inefficiencies and deficiencies of our current mental health system. It is essential that people with mental illness, their families and our organizations be partners in any reform efforts, including those brought about as a result of the work of the Coordinator.

We appreciate the gravity and the challenge you faced in making this appointment and we thank you for the time and thought you put into it. We look forward to working with Mr. Rosamond.

We regret that the final conference report for SB 2610 removed language encouraging the person appointing the Coordinator to confer with a variety of entities, including advocacy groups, in making the appointment. We are disappointed that you likely did not know that we were a resource to you and that we did not have the opportunity to support you during the appointment process. Our organizations are committed to making support and information available to you and Mr. Rosamond going forward.

We agree with Mr. Rosamond's and your public statements that Mr. Rosamond has knowledge about how our mental health system currently functions. We respectfully point out that it is our current system that faced and lost litigation and that this occurred during the time Mr. Rosamond was acting as legal counsel for and advising and representing the Board and Department of Mental Health. Knowledge of how the current system functions is necessary, but alone it is not sufficient, to address the problems in Mississippi's mental health system.

A well-versed knowledge of how a responsive and efficient mental health system is supposed to function is essential. We can help with a wide range of information that is needed to understand that, detailed as follows:

- **The perspectives of people receiving services, their families and other relevant stakeholders** -- An important aspect that is missing from most of the State's published information is how people actually experience our current system when they access it or attempt to do so. We

have that information. We also have some data on how front-line providers describe what happens when they try to implement some of the services described in the State's published information about its reforms.

- **Community practices from other states** -- All of our organizations have partner organizations in other states as well as umbrella national organizations, enabling us to provide information about best practices and models from those perspectives. We have seen limited references to that information in the State's publications about its reform efforts.
- **Models of state mental health authorities** – We believe that one of the most important tasks of the Coordinator is to analyze and review the structure of the mental health system (lines 142 and 143 of SB 2610). In fact, it is our stance that an objective and thorough analysis of our state level mental health infrastructure, including mechanisms for coordinating the Division of Medicaid and the Department of Mental Health, is the foundation for any other tasks of the Coordinator to be successful and allow for any type of much needed meaningful reform.

Mississippi is one of only two states in the country with a separate state mental health department overseen by a board, and it is also, to our knowledge, the only state in the country in which the Department of Mental Health is the largest state employer. There may be legitimate reasons for both of these things, but they need to be more closely examined and explained. We have collected data on the structure of other states' mental health authorities and also been in communication with other states about how well these models work.

- **Support in dealing with potential barriers** – It is our experience that there is tremendous political pressure to maintain the current structure of the Department of Mental Health and to not consider any model other than the one we currently have. We can provide Mr. Rosamond with a broad base of support for and assistance with examining Mississippi's state-level infrastructure, as well information about other states' systems.

It is also a reality that the Department of Justice and Judge Reeves have no obligation to consider any of the Coordinator's recommendations. The more inclusive the work of the Coordinator is, the more likely is it to result in recommendations that actually make a difference to people receiving services and can coordinate with the remedy for the lawsuit.

- **Relevant documents and information** -- We strongly encourage Mr. Rosamond to begin his analysis with information from the multiple PEER reports involving the mental health system that have been completed over the past fifteen years, as well as the Technical Assistance Collaborative's 2015 independent assessments of the children's and adult mental health systems. We believe that if these recommendations had been more closely examined and implemented with a wide range of stakeholders, the state would have been much less likely to have been sued by the Justice Department. We can provide additional documents as well as up-to-date information about relevant state and national advocacy issues.

We look forward to hearing from Mr. Rosamond soon about working together.

Sincerely,

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Cc

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