

# ***COMMISSION ON QUALITY OF CARE FOR THE MENTALLY DISABLED***

## ***MISSION***

The Commission on Quality of Care for the Mentally Disabled provides oversight of the State and local mental hygiene systems that collectively spend more than \$5 billion in public funds annually. The Commission:

- monitors conditions of care for people with mental disabilities in State institutions, licensed residential facilities, and outpatient programs;
- reports to the Governor and Legislature on how the laws and policies established to protect the rights of people with mental disabilities are being implemented; and
- makes recommendations to improve quality of care.

## ***ORGANIZATION AND STAFFING***

The Commission consists of a full-time chairman and two unsalaried members, each appointed by the Governor and confirmed by the Senate to serve for staggered five-year terms. During 2002-03, the agency will have a workforce of 95 positions funded by the General Fund, Federal grants and other Federal revenues related to oversight of Medicaid programs.

## ***FISCAL BACKGROUND AND BUDGET HIGHLIGHTS***

The Commission's State Operations appropriation is supported by the General Fund (27 percent), Federal grants (48 percent) and other funding, primarily receipts from the Medicaid program related to program oversight activities (25 percent).

The Aid to Localities appropriations fund:

- contracts with private, non-profit service provider agencies that provide advocacy services to residents of adult homes and adult care facilities; and
- contracts with non-profit Community Dispute Resolution Centers, which provide support services for the Surrogate Decision Making Committee program.

The Executive Budget recommendation of \$11.6 million fully supports existing program and service levels.

## ***PROGRAM HIGHLIGHTS***

### ***OVERSIGHT OF SERVICE DELIVERY***

The Commission provides independent oversight and review of State- and voluntary-operated programs serving individuals with mental illness, developmental disabilities, and alcohol and substance abuse problems. Most importantly, it investigates complaints including allegations of patient abuse or mistreatment in facilities operated or licensed by these agencies.

### ***PROTECTION AND ADVOCACY***

Federal funding provides statewide protection and advocacy services for individuals with disabilities, using State staff and contracts with non-profit agencies, through the following programs: Protection and Advocacy for the Developmentally Disabled; Client Assistance; Protection and Advocacy for Individuals with Mental Illness; Protection and Advocacy of Individual Rights; Protection and Advocacy for Beneficiaries of Social Security; and

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Technology-Related Protection and Advocacy. These programs assist the Commission in strengthening the non-profit contract network which provides individuals with severe disabilities with protection and advocacy services under Federal law.

### **ADULT HOMES**

Residents of adult homes that are serving a large number of persons who have received services through the mental hygiene system enjoy advocacy services administered by the Commission through contracts with local not-for-profit organizations. These services, funded in part through a suballocation from the Department of Health, focus on protecting and promoting residents' rights. The Commission's dedicated team continues to work collaboratively with the Department of Health and the Office of Mental Health to conduct programmatic and fiscal investigations into the quality of care provided to individuals living in adult homes.

### **SURROGATE DECISION MAKING COMMITTEE**

The Surrogate Decision Making Committee (SDMC) program reviews recommendations for medical services on behalf of individuals receiving Mental Hygiene residential services who have neither a legal guardian nor the ability to make decisions for themselves. Volunteer teams comprised of medical, legal and health care professionals and advocates work through local dispute resolution centers to represent these individuals. Expanded under a multi-year gubernatorial initiative, this program is now available statewide.

#### **ALL FUNDS APPROPRIATIONS (dollars)**

| <b>Category</b>   | <b>Available<br/>2001-02</b> | <b>Appropriations<br/>Recommended<br/>2002-03</b> | <b>Change</b>  | <b>Reappropriations<br/>Recommended<br/>2002-03</b> |
|-------------------|------------------------------|---|----------------|---|
| State Operations  | 10,867,000                   | 11,174,000  | 307,000        | 6,792,300   |
| Aid To Localities | 468,000                      | 468,000   | 0              | 0   |
| Capital Projects  | 0                            | 0   | 0              | 0   |
| <b>Total</b>      | <b>11,335,000</b>            | <b>11,642,000</b>                                 | <b>307,000</b> | <b>6,792,300</b>                                    |

#### **ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS**

##### **Full-Time Equivalent Positions (FTE)**

| <b>Program</b>  | <b>2001-02<br/>Estimated FTEs<br/>03/31/02</b> | <b>2002-03<br/>Estimated FTEs<br/>03/31/03</b> | <b>FTE Change</b> |
|---|--|--|-------------------|
| Administration  |  |  |                   |
| General Fund  | 39   | 37   | (2)               |
| Special Revenue Funds - Other                                   | 30   | 30   | 0                 |
| Client Assistance   |  |  |                   |
| Special Revenue Funds - Federal                                 | 2  | 2  | 0                 |
| Protection and Advocacy for Beneficiaries<br>of Social Security |  |  |                   |
| Special Revenue Funds - Federal                                 | 1  | 1  | 0                 |
| Protection and Advocacy for the<br>Developmentally Disabled     |  |  |                   |
| Special Revenue Funds - Federal                                 | 12   | 12   | 0                 |
| Protection and Advocacy for Individual<br>Rights                |  |  |                   |
| Special Revenue Funds - Federal                                 | 2  | 2  | 0                 |
| Protection and Advocacy for the Mentally Ill                    |  |  |                   |
| Special Revenue Funds - Federal                                 | 11   | 11   | 0                 |
| <b>Total</b>  | <b>97</b>                                      | <b>95</b>                                      | <b>(2)</b>        |

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## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

| Fund Type                       | Available<br>2001-02 | Recommended<br>2002-03 | Change         |
|---------------------------------|----------------------|------------------------|----------------|
| General Fund                    | 2,987,000            | 2,985,000              | (2,000)        |
| Special Revenue Funds - Federal | 5,166,000            | 5,387,000              | 221,000        |
| Special Revenue Funds - Other   | 2,694,000            | 2,782,000              | 88,000         |
| Enterprise Funds                | 20,000               | 20,000                 | 0              |
| Total                           | <u>10,867,000</u>    | <u>11,174,000</u>      | <u>307,000</u> |

## STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

| Program   | Available<br>2001-02 | Recommended<br>2002-03 | Change         |
|---|----------------------|------------------------|----------------|
| Administration  |                      |                        |                |
| General Fund  | 2,987,000            | 2,985,000              | (2,000)        |
| Special Revenue Funds - Other                                   | 2,694,000            | 2,782,000              | 88,000         |
| Enterprise Funds  | 20,000               | 20,000                 | 0              |
| Client Assistance   |                      |                        |                |
| Special Revenue Funds - Federal                                 | 667,000              | 723,000                | 56,000         |
| Protection and Advocacy for Beneficiaries<br>of Social Security |                      |                        |                |
| Special Revenue Funds - Federal                                 | 750,000              | 464,000                | (286,000)      |
| Protection and Advocacy for the<br>Developmentally Disabled     |                      |                        |                |
| Special Revenue Funds - Federal                                 | 1,546,000            | 1,840,000              | 294,000        |
| Protection and Advocacy for Individual<br>Rights                |                      |                        |                |
| Special Revenue Funds - Federal                                 | 741,000              | 846,000                | 105,000        |
| Protection and Advocacy for the Mentally Ill                    |                      |                        |                |
| Special Revenue Funds - Federal                                 | 1,402,000            | 1,409,000              | 7,000          |
| Technology Related Protection and<br>Advocacy                   |                      |                        |                |
| Special Revenue Funds - Federal                                 | 60,000               | 105,000                | 45,000         |
| Total   | <u>10,867,000</u>    | <u>11,174,000</u>      | <u>307,000</u> |

## STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2002-03 RECOMMENDED (dollars)

| Program        | Total            |                | Personal Service Regular<br>(Annual Salaried) |                |
|----------------|------------------|----------------|---|----------------|
|                | Amount           | Change         | Amount  | Change         |
| Administration | 2,332,000        | (4,000)        | 2,321,000                                     | (1,000)        |
| Total          | <u>2,332,000</u> | <u>(4,000)</u> | <u>2,321,000</u>                              | <u>(1,000)</u> |

| Program        | Holiday/Overtime Pay<br>(Annual Salaried) |                |
|----------------|---|----------------|
|                | Amount                                    | Change         |
| Administration | 11,000                                    | (3,000)        |
| Total          | <u>11,000</u>                             | <u>(3,000)</u> |

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## STATE OPERATIONS - GENERAL FUND SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 2002-03 RECOMMENDED (dollars)

| Program        | Total   |        | Supplies and Materials |        |
|----------------|---------|--------|------------------------|--------|
|                | Amount  | Change | Amount                 | Change |
| Administration | 653,000 | 2,000  | 41,100                 | 0      |
| Total          | 653,000 | 2,000  | 41,100                 | 0      |

  

| Program        | Travel  |        | Contractual Services |        |
|----------------|---------|--------|----------------------|--------|
|                | Amount  | Change | Amount               | Change |
| Administration | 121,200 | 0      | 451,600              | 14,000 |
| Total          | 121,200 | 0      | 451,600              | 14,000 |

  

| Program        | Equipment |          |
|----------------|-----------|----------|
|                | Amount    | Change   |
| Administration | 39,100    | (12,000) |
| Total          | 39,100    | (12,000) |

## STATE OPERATIONS - OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 2002-03 RECOMMENDED (dollars)

| Program   | Total     |           | Personal Service |         |
|---|-----------|-----------|------------------|---------|
|   | Amount    | Change    | Amount           | Change  |
| Administration  | 2,802,000 | 88,000    | 1,754,000        | 44,000  |
| Client Assistance   | 723,000   | 56,000    | 116,000          | 8,000   |
| Protection and Advocacy for Beneficiaries<br>of Social Security | 464,000   | (286,000) | 54,000           | 54,000  |
| Protection and Advocacy for the<br>Developmentally Disabled     | 1,840,000 | 294,000   | 665,000          | 52,000  |
| Protection and Advocacy for Individual<br>Rights                | 846,000   | 105,000   | 113,000          | 1,000   |
| Protection and Advocacy for the Mentally Ill                    | 1,409,000 | 7,000     | 536,000          | 68,000  |
| Technology Related Protection and<br>Advocacy                   | 105,000   | 45,000    | 0                | 0       |
| Total   | 8,189,000 | 309,000   | 3,238,000        | 227,000 |

  

| Program   | Nonpersonal Service |          | Maintenance Undistributed |           |
|---|---------------------|----------|---------------------------|-----------|
|   | Amount              | Change   | Amount                    | Change    |
| Administration  | 1,048,000           | 44,000   | 0                         | 0         |
| Client Assistance   | 607,000             | 48,000   | 0                         | 0         |
| Protection and Advocacy for Beneficiaries<br>of Social Security | 410,000             | 410,000  | 0                         | (750,000) |
| Protection and Advocacy for the<br>Developmentally Disabled     | 1,175,000           | 242,000  | 0                         | 0         |
| Protection and Advocacy for Individual<br>Rights                | 733,000             | 104,000  | 0                         | 0         |
| Protection and Advocacy for the Mentally Ill                    | 873,000             | (61,000) | 0                         | 0         |
| Technology Related Protection and<br>Advocacy                   | 105,000             | 45,000   | 0                         | 0         |
| Total   | 4,951,000           | 832,000  | 0                         | (750,000) |

## AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

| Fund Type                     | Available<br>2001-02 | Recommended<br>2002-03 | Change |
|-------------------------------|----------------------|------------------------|--------|
| General Fund                  | 95,000               | 95,000                 | 0      |
| Special Revenue Funds - Other | 373,000              | 373,000                | 0      |
| Total                         | 468,000              | 468,000                | 0      |

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## **AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)**

| <b>Program</b>                | <b>Available<br/>2001-02</b> | <b>Recommended<br/>2002-03</b> | <b>Change</b> |
|-------------------------------|------------------------------|--------------------------------|---------------|
| Adult Homes                   |                              |                                |               |
| General Fund                  | 95,000                       | 95,000                         | 0             |
| Surrogate Decision Making     |                              |                                |               |
| Special Revenue Funds - Other | 373,000                      | 373,000                        | 0             |
| Total                         | <u>468,000</u>               | <u>468,000</u>                 | <u>0</u>      |