

Testimony before the Appropriations Committee

March 8, 2012

Oppose Sections 74 through 82 of HB 5016

Good afternoon, Senator Harp, Representative Walker and members of the Appropriations Committee. My name is Daniela Giordano, and I am the Public Policy Director for the National Alliance on Mental Illness, CT (NAMI-CT). I am here today on behalf of NAMI-CT to oppose sections 74 through 82 of HB 5016 which proposes the consolidation of the Office of Protection and Advocacy for Persons with Disabilities (OPA) with the Commission on Human Rights and Opportunities (CHRO).

The Office of Protection and Advocacy strongly advocates and investigates on behalf of people with mental illness particularly through its Protection & Advocacy for Individuals with Mental Illness (PAIMI) program. PAIMI "investigates allegations of abuse and neglect and other complaints raised by people with mental illness who reside in supervised facilities, and advocates for appropriate discharge plans, consumer choice, and respectful, relevant supports". PAIMI works to protect the rights of individuals with mental illness who are in community residential programs, homeless shelters, state or private institutions including hospitals, residential care homes, nursing homes or correctional facilities. If OPA lost its independence, people with disabilities would lose an independent and effective advocate and critical services including the option of an investigation when their rights have been ignored.

Consolidating OPA and CHRO creates legal conflicts of interest for both agencies as each exists for different reasons, is charged with different duties and performs different functions. OPA advocates for people with disabilities and investigates abuse. CHRO impartially adjudicates claims of discrimination based on membership in a variety of protected classes and can impose remedies. It also enforces a variety of legal requirements that apply to state agencies, e.g., affirmative action, minority contracting set-asides, etc. OPA often represents people with disabilities who file CHRO complaints. Combining the two agencies into one department will create confusion among the public and prospective agency clients about the identity and mission of the respective programs and what people can expect from each program. Also, it will force the agencies to compete against each other for resources.

Additionally, federal agencies have expressed great concern regarding this proposed consolidation with CHRO and the loss of the Office of Protection and Advocacy's operational and financial independence, putting Connecticut at risk of losing federal funding and authority.

OPA's independence and autonomy must be preserved so that the state can continue to provide people with mental illness with vital advocacy services to safeguard their rights.

Thank you for your time. I am happy to answer any questions you may have.

Respectfully yours, Daniela Giordano