

TREATMENT, NOT TRAGEDIES

Passage of Baker Act Reform Can Save Lives and Money

Statement by Rep. David Simmons

Altamonte Springs, FL – Today is a truly historic day as we celebrate passage of much-needed legislation to reform the Baker Act, Florida's law governing treatment for those with the most severe mental illnesses.

Every year Floridians are faced with an overwhelming number of tragedies brought about by the consequences of untreated mental illness. More than 32,000 people with severe mental illnesses are on our streets and in our prisons. The numbers lost to suicide are equally staggering; it is the leading cause of death for people with schizophrenia.

Most of the people who will be helped by Baker Act reform do not understand they are ill; all have been shuttled through our courthouses, jails, receiving facilities, and hospitals multiple times. The Governor and legislators in both the House and the Senate embraced this humane legislation precisely because it is intended to help people who are the sickest, people who cost the state an inordinate amount of money in services, from emergency response teams to court staff to crisis treatment facilities.

Before the Governor signed this measure into law, the only option available for people with severe mental illnesses who refused treatment was inpatient commitment. Yet Florida's remaining public psychiatric hospitals routinely carry an admissions waiting list exceeding 100. As inpatient beds continue to dwindle and hospitals continue to close, this often means that people who are in crisis end up in the streets or in jails instead of in treatment. If an inpatient bed is not available, there are no other options.

HB 463/SB 700 will allow a judge to commit someone to receive treatment in the community. Called involuntary outpatient placement, this tool has been proven in multiple studies to reduce not only hospitalization, victimization, and arrest rates, but also rates of violence against others and harm to oneself. In fact, New York found that for those placed in their court-ordered outpatient treatment program, 63 percent fewer were hospitalized, 55 percent fewer experienced homelessness, 75 percent fewer were arrested, and 69 percent fewer were incarcerated.

Not only does a court order commit someone to treatment, but it commits the system to help the person. This is a powerful way to ensure that existing services are used more wisely, and that scarce resources are not exhausted by people who continually enter and exit the system without gaining stability. These services – many of which could be actually helping others – are wasted when recidivist patients continue to refuse treatment. Each time they discontinue their medication, their disease worsens, they use more services, and the cycle continues.

This is a huge problem in Florida. For instance, in one 24-month period, 540 people were evaluated under the Baker Act eight or more times. That means eight or more times those people

reached the point of crisis. Not only is this dangerous and unproductive, it is prohibitively expensive. For example, in 2002, Florida spent \$81,000 to Baker Act one individual 41 times.

Court-ordered outpatient treatment is not only effective and cost-efficient, it is also humane. In many instances, it is the only way to help someone in the grips of disease who believes that they are not sick, but being contacted by aliens through the television. It is interesting to note that when asked retrospectively about their experience with court-ordered treatment, the majority of mental health patients agreed that it was the right decision. Far from stripping people of their liberties, court-ordered treatment can restore people to free will.

I want to thank members of the House, especially Representative Murman and Speaker Byrd, for their support of this effort and their concern for people who are struggling with these diseases. I also want to thank my cosponsors in the Senate, Senator Peadar Kirby and Senator Smith, as well as the members of that body that voted unanimously for passage. I want to thank Governor Bush and his staff for their support. And I particularly want to thank and commend Sheriff Donald Eslinger and the members of the Florida Sheriffs Association, who made this legislation their top priority. Their concern for law enforcement officers and for people with mental illnesses is inspiring.

To those who are still struggling, Baker Act reform can bring hope. I know that everyone involved, from the Department of Children and Families to the mental health facility directors, will work together to ensure that this important law is implemented quickly and used broadly to help those whose brain disease prevents them from helping themselves.

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