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AMERICAN BAR ASSOCIATION
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November 4, 2015

The Honorable Joe Pitts
Chairman
Committee on Energy and Commerce
Subcommittee on Health
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Gene Green
Ranking Member
Committee on Energy and Commerce
Subcommittee on Health
U.S. House of Representatives
2415 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Pitts and Ranking Member Green:

On behalf of the American Bar Association (ABA) and its over 400,000 members, I write to express our opposition to portions of H.R. 2646, the Helping Families in Mental Health Crisis Act of 2015, that would prevent Protection and Advocacy for Individuals with Mental Illness Act (PAIMI) programs from engaging in advocacy and litigation on behalf of individuals with serious mental illness. By amending the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10805) to mandate that protection and advocacy activities be exclusively focused on abuse and neglect, H.R. 2646 would block Protection and Advocacy agencies (P&As) from serving some of our most vulnerable citizens.

Last year, under the federally funded PAIMI program, the P&As provided essential information and referral services for 32,798 individuals with mental illness and provided training for over 80,000 individuals, family members, mental health planners and social service professionals. P&As would be restricted from providing these and other critical services if the Helping Families in Mental Health Crisis Act of 2015 is enacted. Additionally, P&As also provide critical legal services each year to thousands of individuals regarding issues such as inappropriate or excessive medication, lack of appropriate mental health treatment, financial exploitation, need for transportation to or from residential care facilities, admission to residential care facilities, discharge planning, housing and employment discrimination, and denial of visitors. These examples of advocacy and litigation, in which PAIMI programs engage on behalf of individuals with serious mental illness, would also be prohibited under H.R. 2646.

As a result of PAIMI programs, tens of thousands of children have received the services that they need to gain full and equal access to education, health care, independent living, and employment. The ABA adopted policy in 2010 urging Congress to preserve the Protection and Advocacy programs' authority to "protect, represent, and fully investigate

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on behalf of persons with disabilities in institutions, facilities and the community.” We urge you to oppose the portions of H.R. 2646 that would diminish the PAIMI program’s ability to provide these essential benefits.

Sincerely,

A handwritten signature in black ink, reading "Thomas M. Susman" with a long horizontal flourish extending to the right.

Thomas M. Susman