

COMMISSION ON QUALITY OF CARE FOR THE MENTALLY DISABLED

MISSION

The Commission on Quality of Care for the Mentally Disabled provides oversight of the Department of Mental Hygiene that collectively spends more than \$5 billion 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 staggered five-year terms. During 2004-05, the agency will have a workforce of 90 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 (20 percent), Federal grants (58 percent) and other funding, primarily receipts from the Medicaid program related to program oversight activities (22 percent).

The Aid to Localities appropriations support:

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

The Executive Budget recommendation of \$14.7 million fully supports existing program and service levels. In addition, the 2004-05 Executive Budget assumes that the Commission will now provide administrative support (human resources, payroll and procurement services) to the Office of Advocate for Persons with Disabilities (APD), resulting in administrative streamlining and operational savings in APD.

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

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

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Advocacy of Individual Rights; Protection and Advocacy for Beneficiaries of Social Security; Protection and Advocacy for Assistive Technology; Protection and Advocacy for Traumatic Brain Injury; and Protection and Advocacy Help America Vote Act. These programs assist the Commission in strengthening the non-profit contract network by providing individuals with severe disabilities with protection and advocacy services under Federal law.

ADULT HOMES

The Commission contracts with local non-profit organizations to provide advocacy services to residents of adult homes who have received services through the mental hygiene system. These services, now fully funded in CQC, rather than 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. The Commission's efforts have been expanded to assist in the implementation of the new State initiatives already underway to improve the quality of life and safety of adult home residents. This includes the reallocation of existing CQC staff to create an Adult Homes Death Investigations Team.

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 via local dispute resolution centers located throughout the State to represent these individuals.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2003-04	Appropriations Recommended 2004-05	Change	Reappropriations Recommended 2004-05
State Operations	12,053,000	14,110,000	2,057,000	10,033,000
Aid To Localities	513,000	588,000	75,000	0
Capital Projects	0	0	0	0
Total	12,566,000	14,698,000	2,132,000	10,033,000

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

Program	Full-Time Equivalent Positions (FTE)		
	2003-04	2004-05	FTE Change
	Estimated FTEs 03/31/04	Estimated FTEs 03/31/05	
Administration			
General Fund	34	34	0
Special Revenue Funds - Other	30	30	0
Client Assistance			
Special Revenue Funds - Federal	2	2	0
Protection and Advocacy for Beneficiaries of Social Security			
Special Revenue Funds - Federal	1	1	0
Protection and Advocacy for the Developmentally Disabled			
Special Revenue Funds - Federal	9	9	0
Protection and Advocacy for Individual Rights			
Special Revenue Funds - Federal	3	3	0
Protection and Advocacy for the Mentally Ill			
Special Revenue Funds - Federal	11	11	0
Total	<u>90</u>	<u>90</u>	<u>0</u>

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

Fund Type	Available	Recommended	Change
	2003-04	2004-05	
General Fund	2,758,000	2,810,000	52,000
Special Revenue Funds - Federal	6,414,000	8,259,000	1,845,000
Special Revenue Funds - Other	2,861,000	3,021,000	160,000
Enterprise Funds	20,000	20,000	0
Total	<u>12,053,000</u>	<u>14,110,000</u>	<u>2,057,000</u>

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

Program	Available 2003-04	Recommended 2004-05	Change
Administration			
General Fund	2,758,000	2,810,000	52,000
Special Revenue Funds - Federal	400,000	300,000	(100,000)
Special Revenue Funds - Other	2,861,000	3,021,000	160,000
Enterprise Funds	20,000	20,000	0
Client Assistance			
Special Revenue Funds - Federal	727,000	1,000,000	273,000
Protection and Advocacy for Beneficiaries of Social Security			
Special Revenue Funds - Federal	446,000	403,000	(43,000)
Protection and Advocacy for the Developmentally Disabled			
Special Revenue Funds - Federal	1,947,000	2,646,000	699,000
Protection and Advocacy Help America Vote Act			
Special Revenue Funds - Federal	0	37,000	37,000
Protection and Advocacy for Individual Rights			
Special Revenue Funds - Federal	1,080,000	1,480,000	400,000
Protection and Advocacy for the Mentally Ill			
Special Revenue Funds - Federal	1,719,000	2,049,000	330,000
Protection and Advocacy for Persons with Traumatic Brain Injury			
Special Revenue Funds - Federal	0	85,000	85,000
Technology Related Protection and Advocacy			
Special Revenue Funds - Federal	95,000	259,000	164,000
Total	<u>12,053,000</u>	<u>14,110,000</u>	<u>2,057,000</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2004-05 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	2,123,000	18,000	2,123,000	18,000
Total	<u>2,123,000</u>	<u>18,000</u>	<u>2,123,000</u>	<u>18,000</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 2004-05 RECOMMENDED (dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	687,000	34,000	40,000	0
Total	<u>687,000</u>	<u>34,000</u>	<u>40,000</u>	<u>0</u>

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	137,000	0	485,000	34,000
Total	<u>137,000</u>	<u>0</u>	<u>485,000</u>	<u>34,000</u>

Program	Equipment	
	Amount	Change
Administration	25,000	0
Total	<u>25,000</u>	<u>0</u>

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STATE OPERATIONS - OTHER THAN GENERAL FUND SUMMARY OF APPROPRIATIONS AND CHANGES 2004-05 RECOMMENDED (dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Administration	3,341,000	60,000	1,808,000	48,000
Client Assistance	1,000,000	273,000	119,000	1,000
Protection and Advocacy for Beneficiaries of Social Security	403,000	(43,000)	56,000	2,000
Protection and Advocacy for the Developmentally Disabled	2,646,000	699,000	420,000	(46,000)
Protection and Advocacy Help America Vote Act	37,000	37,000	0	0
Protection and Advocacy for Individual Rights	1,480,000	400,000	154,000	2,000
Protection and Advocacy for the Mentally Ill	2,049,000	330,000	553,000	(29,000)
Protection and Advocacy for Persons with Traumatic Brain Injury	85,000	85,000	0	0
Technology Related Protection and Advocacy	259,000	164,000	0	0
Total	<u>11,300,000</u>	<u>2,005,000</u>	<u>3,110,000</u>	<u>(22,000)</u>

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Administration	1,233,000	112,000	300,000	(100,000)
Client Assistance	881,000	272,000	0	0
Protection and Advocacy for Beneficiaries of Social Security	347,000	(45,000)	0	0
Protection and Advocacy for the Developmentally Disabled	2,226,000	745,000	0	0
Protection and Advocacy Help America Vote Act	37,000	37,000	0	0
Protection and Advocacy for Individual Rights	1,326,000	398,000	0	0
Protection and Advocacy for the Mentally Ill	1,496,000	359,000	0	0
Protection and Advocacy for Persons with Traumatic Brain Injury	85,000	85,000	0	0
Technology Related Protection and Advocacy	0	(95,000)	259,000	259,000
Total	<u>7,631,000</u>	<u>1,868,000</u>	<u>559,000</u>	<u>159,000</u>

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

Fund Type	Available 2003-04	Recommended 2004-05	Change
General Fund	95,000	170,000	75,000
Special Revenue Funds - Other	418,000	418,000	0
Total	<u>513,000</u>	<u>588,000</u>	<u>75,000</u>

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

Program	Available 2003-04	Recommended 2004-05	Change
Adult Homes			
General Fund	95,000	170,000	75,000
Surrogate Decision Making			
Special Revenue Funds - Other	418,000	418,000	0
Total	<u>513,000</u>	<u>588,000</u>	<u>75,000</u>