

Dear Mr. Jeff Jesse,

September 3, 2007

We would like to point out an unfortunate turn of events to the Trust Authority.

Patient rights organizations have applied pressure to the state, DIISS, Behavioral Health to bring psychiatric grievance procedures (and we would include those with developmental disabilities and those with psychotic breaks due to alcohol and drugs in the same grievance procedure, which is not uncommon in other lower 48 statutes and regulations) up to best practices.

Instead of the state agencies seeing it as a challenge to bring patient rights up to best practices, a few people within the agencies have circled the wagons and are working to maintain the status quo, which does not adequately protect and promote patient rights which is actually a Federal requirement.

The state has a right by statute AS47.30.660 to delegate its obligation to promote and protect patient rights and to do oversight.

We have been informed that the state will require all facilities to be certified by JCAHO or CARP or other certification organizations. We have absolutely no problem with that, but a few people in the state agencies see that as an opportunity to delegate the state's responsibility to investigate patients' complaints to JCAHO, etc.

JCAHO only sets basic standards for the hospitals. States are expected to write their own statutes and regulations concerning patient grievances. But as stated, a few people within the state agencies, instead of moving forward to write comprehensive regulations and statutes, want to turn the responsibility over to JCAHO.

As an example, JCAHO has no provision for a patient to appeal a decision by a hospital employee. And some hospitals in Alaska using the JCAHO standards don't allow patients to appeal. Federal regulations are the same, they are very basic. The due process timeline in JCAHO for a patient to receive an answer is too long, and it says nothing about assistance being provided to the patient by someone with training.

There has to be a specific state office that patients can call in this state for assistance. There is none at this time.

There has to be an effort by concerned organizations like the Trust Authority and AMHB that asks the state not to pass off its obligation to oversee and investigate psychiatric patient complaints to some organization in Minnesota or Albuquerque who by the way do not offer resolutions to patient complaints or an appeal but looks at systems.

Thank you for any help you can give us on this issue,

Faith Myers / Dorrance Collins—929-0532

Cc: Open letter

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