

HB 1014 Testimony
House Appropriations Committee
Human Resources Division
Representative Jon Nelson, Chairman
January 8, 2021

Chairman Nelson and Members of the Committee, I am Carlotta McCleary, the Executive Director of the ND Federation of Families for Children's Mental Health (NDFFCMH), which is a parent run organization that focuses on the needs of children and youth with emotional, behavioral, or mental health needs and their families. I am also the Executive Director for MHAND which is a consumer-run organization whose mission is to promote mental health through education, advocacy, understanding, and access to quality care for all individuals.

Today we are here to speak in support of Protection and Advocacy (P&A) and their budget that is before you. P&A provides needed services for individuals with disabilities. They advocate on behalf of individuals with disabilities whose rights have been violated or who are being unlawfully denied access to services. P&A protects individuals with disabilities from abuse and neglect by receiving reports of alleged abuse, neglect, and exploitation. When there is probable cause they investigate the allegation. If it is needed, they access protective services. Legal representation is also provided to individuals with disabilities. In addition, they also provide individuals or groups assistance with self-advocacy, education and training, systems advocacy, and legislative advocacy.

Last session, Protection and Advocacy became the point of contact for the Olmstead Commission. The Olmstead Commission monitors services and conducts planning in order to comply with the United States Supreme Court's *Olmstead* decision which ruled that Americans with disabilities have the right to community services before being placed in institutional facilities. Since the Olmstead Commission redesign, Protection and Advocacy answers questions from individuals and providers. If inquiries from individuals and providers are determined to be outside the purview of the Olmstead Commission, they give those individuals referrals to more appropriate entities. Protection and