



Protection & Advocacy Project

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House Human Services

SB Bill 2171

Testimony of Denise Harvey, Protection & Advocacy, Program Director

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Chairman Ruby and members of the House Human Services my name is Denise Harvey. I am a Director of Program Services at the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A opposes efforts to increase the time when a person can be held to complete an evaluation as required for an involuntary commitment from 24 to 72 hours. For the sake of parity of health care, if a family member was admitted to the hospital due to a medical issue such as a heart attack or COVID, we would expect that they would be seen and evaluated within 24 hours, not 72 hours. We should expect no less if the family member has a mental illness. This bill also refers to persons being admitted to public and private treatment facilities. These facilities are required to have providers with advanced skills available around the clock, such as other hospitals, to address psychiatric emergencies for persons.

P&A sees no inherent benefit to the involuntary commitment hold time being increased. During this time when the person is being detained, they will have no right to plead their case, no right to counsel or to appear before a judge. While this increases costs for the public and private hospital, the cost to individuals being held is the most concerning. The experience

of involuntary commitment and detention can cause significant emotional distress including much fear and anxiety for persons. Lengthening the time of detention greatly increases this distress, for all including some that will not be found to meet the emergency commitment standard.

Thank you for your time and consideration.

Denise Harvey
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