

Congress of the United States
Washington, DC 20515

February 29, 2016

The Honorable Fred Upton
Chairman
Energy and Commerce Committee
2125 Rayburn House Office Bldg.
Washington, D.C. 20515

The Honorable Frank Pallone, Jr.
Ranking Member
Energy and Commerce Committee
2322A Rayburn House Office Bldg.
Washington, D.C. 20515

The Honorable Tim Murphy
2332 Rayburn House Office Bldg.
Washington, D.C. 20515

The Honorable Eddie Bernice Johnson
2468 Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Chairman Upton, Ranking Member Pallone, Congressman Murphy, and Congresswoman Johnson:

As the House Energy and Commerce Committee has noted, Congress must address the problems with our nation's current mental health system. Yet, it must also ensure that legislation ultimately passed by this House does not reduce the protections of Americans with psychiatric disabilities. We write to you today to ask that as House Energy and Commerce Committee considers *The Helping Families In Mental Health Crisis Act* (H.R. 2646) that the provisions limiting the work of the Protection and Advocacy for Individuals with Mental Illness (PAIMI) program be removed.

Since being signed into law by President Reagan in 1986, the PAIMI program has provided needed advocacy to keep individuals with psychiatric disabilities free from abuse and neglect as well as protect the important rights of this population. The PAIMI program protects and ensures these rights on a variety of issues, including access to life-saving community mental health services, employment and housing discrimination, lack of or inappropriate medical treatment, failure to provide educational or transportation services, and protection of disability rights granted in federal law, like the Americans with Disabilities Act.

The PAIMI program has served over 350,000 Americans with complex individual disability rights advocacy, provided hundreds of thousands of Americans information and referrals, trained millions, completed thousands of death investigations, and benefited hundreds of millions of Americans through its various forms of systemic advocacy. The PAIMI program should be strengthened, not diminished. Unfortunately, as currently written, H.R. 2646 diminishes this program in the following key areas.

First, the language of H.R. 2646, as it currently stands, limits the PAIMI program to exclusively doing abuse and neglect work. This would prevent the PAIMI program from helping Americans with mental illness with any other advocacy or rights issues. These limitations will disproportionately harm our military heroes who return home with emotional battle scars.

Second, the language that is currently included in the bill virtually gives caregivers ultimate veto power to continue to abuse, neglect, or financially exploit an individual with a psychiatric disability.

In 2014, Nancy Jensen, a survivor of the Kaufman House, testified in front of the House Energy and Commerce Health Subcommittee. Nancy spoke about how the Kaufmans “treated us worse than dogs. I was forced to be naked, to sleep on the filthy floor, and to use a bucket for a toilet.” Nancy credits the PAIMI program because it “shut down the Kaufman House, freed my friends and helped us get justice.” The PAIMI program would not have been able to help her if the PAIMI provisions in H.R. 2646 had been law at the time.

Additionally, the following national organizations oppose H.R. 2646 because it includes the PAIMI provisions: ARC of the United States, National Down Syndrome Congress, Consortium for Citizens with Disabilities, National Association of Councils on Developmental Disabilities, National Disability Rights Network, American Foundation for the Blind, National Council on Independent Living and the American Bar Association.

While we support the need for federal legislation to move forward and address concerns in the mental health system, the changes to the PAIMI program currently contained in H.R. 2646 are a step backwards. We ask removal of these provisions limiting the PAIMI program.

Thank you for your consideration of our request.

Sincerely,


Lynn Jenkins, CPA
Member of Congress


Kevin Yoder
Member of Congress