



## DISABILITIES RIGHTS CENTER, Inc.

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For Immediate Release

### **MENTAL HEALTH ADVOCATES ANNOUNCE LANDMARK SETTLEMENT AGREEMENT TO EXPAND COMMUNITY MENTAL HEALTH SERVICES**

CONCORD, NH – DEC. 19, 2013 – Lawyers for the plaintiffs in the class action suit alleging that the State of New Hampshire has been violating the rights of individuals with serious mental illness by failing to provide community mental health services, announced today that a landmark settlement agreement has been reached. The settlement agreement entered into by the Disabilities Rights Center, United States Department of Justice, and the New Hampshire Attorney General’s Office in the case of *Amanda D. v. Hassan* will significantly enhance and expand community-based mental health services for thousands of people with mental illness in the State of New Hampshire.

Under the proposed Settlement Agreement, New Hampshire will expand its supported housing to include a minimum of 450 supported housing units, add Assertive Community Treatment (ACT) to serve 1500 people, and significantly expand supported employment programs, creating opportunities for individuals to join the workforce, engage in productive activities, and improve the quality of their lives. The agreement also introduces new mobile crisis services in the Concord, Manchester, and Nashua regions, as part of an effort to divert individuals from hospitals and institutions by building capacity through community-based alternatives proven effective at reducing the need for emergency room and inpatient beds.

“Today’s settlement agreement is a real leap forward in the renewal of New Hampshire’s commitment to community-based mental health services,” said Amy Messer, Legal Director of the Disabilities Rights Center and counsel for the plaintiff class. “Thousands of individuals with serious mental illness will now get the services and supports they need and want to live full, meaningful, and productive lives in the community.” Plaintiff Mandy D. (age 24) agreed, happy that participating in the lawsuit is helping more people get housing and services so that they can live independently in the community.

Six New Hampshire residents with psychiatric disabilities filed the class action lawsuit in February 2012 against the State of New Hampshire alleging that individuals with psychiatric disabilities were unnecessarily institutionalized or at serious risk of unnecessary institutionalization, as a result of New Hampshire’s lack of adequate community mental health services. The Plaintiffs are represented by the Disabilities Rights Center, Devine Millimet, the Center for Public Representation, and the Judge David L. Bazelon Center for Mental Health Law. After an investigation, the United States Department of Justice intervened in the lawsuit in support of the Plaintiffs. In September, the United States District Court certified the matter as a class action. Trial had been scheduled for June 2014.

“Access to community based mental health services has long been proven to eliminate or reduce the needless institutionalization of people with serious mental illness,” said Dan Will of Devine Millimet. “Community services not only lead to a higher quality of life for individuals with disabilities but are also far less costly than institutional care.”

The State Attorney General's Office, the United States Department of Justice, and Plaintiffs' Counsel worked cooperatively over the past several months to reach a comprehensive, long-term solution to address the needs of individuals with psychiatric disabilities and restore and improve NH's mental health system.

The services included in the Agreement are proven, cost-effective measures that lead to recovery and the ability of people with serious mental illness to live successful and fulfilling lives in the community. The central components of the services include:

- **Assertive Community Treatment** - a multi-disciplinary team of professionals that are available around the clock and provide a wide range of flexible services, including case management, medication management, psychiatric services, assistance with employment and housing, substance abuse services, crisis services and other services and supports to allow individuals to live independently in the community. ACT teams are mobile, providing services in individuals' homes and in other community settings.
- **Supported Housing** - integrated, scattered-site, permanent housing, coupled with on-going mental health and tenancy support services provided by ACT, case management, and/or a housing specialist.
- **Supported Employment** – helps individuals with disabilities find and maintain competitive employment at integrated job sites in the community, reducing the risk of institutionalization, and enabling individuals to support themselves and their families.
- **Mobile Crisis Teams** – are able to respond to individuals in their homes and communities 24/7 and include access to new crisis apartments, where individuals experiencing a mental health crisis can stay for up to seven days, as an alternative to hospitalization.

For individuals with serious mental illness and complex medical needs residing at the Glencliff Home, the state-run nursing home, New Hampshire will work to develop community settings that are able to address their unique needs. The proposed 16 community residence beds may include enhanced family care, supportive roommate, or other non-congregate settings to help achieve integration back to the community for those who cannot cost-effectively be served in supported housing.

Office of Public Guardian Executive Director Linda Mallon, was excited at the prospect. "This is an extraordinary and positive step towards a robust community mental health system." OPG serves two of the named plaintiffs in the case, as well as many members of the plaintiff class that will benefit from the expansion of these services.

The Agreement will now go before United States District Court Judge Steven McAuliffe, for preliminary approval and a final hearing before the Agreement will take full effect. Although no hearing date for final approval has yet been set, it is anticipated that a hearing will be scheduled for February, 2014.

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