

Assembly Human Services Committee  
Testimony of Ronald Chen, Commissioner, Department of the Public Advocate  
6/12/08

Good afternoon, Chairwoman Oliver and members of the Assembly Human Services committee. My name is Ronald Chen and I am the Public Advocate.

I am pleased to have this opportunity to comment on several bills that have been sponsored by Assemblywoman Oliver, Assemblywoman Lampitt, and Assemblyman Greenwald. Several months ago, I sat before this committee and testified about some of the concerns and issues that the Department of the Public Advocate had identified at Ancora. Since that day, improvements have been made at Ancora, and we applaud Commissioner Velez and Asst. Commissioner Martone for their work. We all know, of course, that much more needs to be done.

One of the issues that our Department had identified was the need to improve the qualifications and skills of staff at our state's psychiatric facilities. By introducing A2973, which will set benchmarks for staff at the human services technician and human services assistant level, I hope that we will begin to see better trained, more qualified staff members working with mental health consumers who are confined to hospitals. I am in support of this bill as a first step. While the benchmarks set forth are modest, they are a good beginning.

The other bill before you today pertaining to staff is A2956, which will allow DHS to require drug testing for employees of state psychiatric facilities. I am in support of this bill as well, as those staff member who provide direct care services to consumers are in safety sensitive positions. I am sure that DHS will comply with *Hennessey v. Coastal Eagle Point Oil Co.*, 129 N.J. (1992) when they institute policies about this.

The last bill concerning psychiatric facilities is A2949, which will require DHS to report physical assaults and deaths on its website. This will provide greater transparency, which can only serve to strengthen the system. However, I believe that this bill should be amended to include reporting of such injuries which are attended to by personnel on each unit. Any assault that requires the attention of a health care professional, which may include bruises and cuts not requiring stitches, indicates whether or not there are safety concerns on that unit. These may be important red flags for more serious problems, and reporting these incidents would create greater transparency regarding the operation of our state hospitals. Greater transparency will help restore the confidence of patients and their families in DHS, and help DHS impose accountability on these facilities.

The Department of Human Services has statutory supervision of the county hospitals as well. I recommend that each of these bills be amended to include

the six county hospitals in New Jersey. These hospitals function in a manner similar to state psychiatric facilities, provide care to mental health consumers who may then go on to state hospitals, and are funded largely by state dollars. DHS holds broad statutory authority to oversee county hospitals. It therefore makes sense that county hospitals should be included in these important reforms.

Thank you for your attention, and I would be happy to answer any questions that you may have.