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Georgia's mental hospitals: How the Feds can help

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Persistent problems in state psychiatric hospitals can result in intervention from a powerful source: the federal government.

Under a federal civil rights statute intended to protect people in government institutional care, the U.S. Department of Justice has investigated conditions in mental hospitals and facilities for the mentally retarded in several states — forcing remedies that advocates say were otherwise slow in coming.

Robert Bernstein, executive director of the Bazelon Center for Mental Health Law in Washington, says Justice Department involvement "is the equivalent of calling in the National Guard."

The department's 2006 investigation report on a California state hospital said patient-on-patient violence was common. The agency cited two patient homicides and a high number of suicide attempts by hanging, among other problems.

In North Carolina's state hospitals, the department in 2004 identified staffing shortages, deficient treatment and discharge planning for patients, inappropriate seclusion and restraint of patients, and use of medications that investigators deemed a "chemical restraint."

In Vermont in 2005, the department cited a state hospital for its "cell-like" rooms and "dehumanizing" conditions.

The federal investigations typically lead to a state agreement to initiate reforms. An independent monitor is often appointed — scrutiny that can continue for years. The state mental health system in Hawaii, for instance, was under federal oversight for 15 years.

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