

**BEFORE THE BOARD OF DIRECTORS OF THE
KINGSBURG TRI-COUNTY HEALTH CARE DISTRICT**

IN THE MATTER OF:
MENTAL HEALTH CARE AND
PATIENTS VICTIMIZED BY ABUSE,
FRAUD, NEGLIGENT CARE OR OTHER
MISCONDUCT.

RESOLUTION 4/9/20 - 2019-8

WHEREAS, proper mental health care services can be vital to efforts to rehabilitate individuals who are suffering from severe mental illness;

WHEREAS, in many cases access to mental health care services is vital for individuals who struggle with a mental illness to become healthy contributing members of their family and/or community;

WHEREAS, a community directly benefits when it has effective local mental health care services providers to assist individuals suffering from mental illness;

WHEREAS, individuals suffering from mental illness are often vulnerable and require the caring, ethical and compassionate care while in treatment;

WHEREAS, the Kingsburg Tri-County Health Care District (“**District**” or “**KTHCD**”) does not itself provide direct services to mental health patients, and has no legal duty or legal authority to investigate or report suspected cases of fraud, abuse, negligent care or other similar misconduct toward mental health patients;

WHEREAS, despite the KTHCD’s lack of regulatory authority over mental health services and providers, financial fraud by mental health services providers can result in valuable resources being deprived from those who need mental health care, and should be reported to the appropriate authorities;

WHEREAS, any instances of known abuse, harm or negligent care occurring in the context of mental health care services to treat individuals with mental illness should be reported immediately to the appropriate authorities;

WHEREAS, it is the responsibility of mental health services providers, as compassionate members of the community, to assure proper mental health care services are being delivered toward the goal of rehabilitating mentally ill individuals, without subjecting such patients to any form of known abuse, harm or negligent care;

WHEREAS, when allegations and/or evidence exists of abuse, harm or negligent care occurring in the context of mental health care services, those mental health service providers should be investigated by the appropriate authorities and held accountable for their role, in order to deter and curtail further harm to prospective and existing mental health patients;

WHEREAS, the District supports the idea of lawfully reporting known or reasonably probable instances of financial fraud, abuse or negligent care occurring in the context of mental health care services so that they can be fully investigated by the appropriate authorities, and the District will provide on its website the contact information for the Office of the Patients' Rights Advocate for each county having territory within the boundaries of the District;

WHEREAS, the purpose for reporting is to protect individuals seeking mental health care services from further harm and to encourage the use of those mental health care resources which provide competent, ethical and effective rehabilitation services; and

WHEREAS, laws which are intended to protect individuals reporting wrongdoing by mental health service providers may be listed on the District's website, including any which may prohibit retaliation, intimidation or impediments directed toward any person reporting wrongdoing.

UPON MOTION OF BOARD MEMBER KNUTSON, SECONDED BY BOARD MEMBER NELSON, THE FOLLOWING WAS PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS AT AN OFFICIAL MEETING HELD October 9, 2019, BY THE FOLLOWING VOTE:

AYES: ROGERS, KNUTSON, SANDERS, DIX and NELSON
NOES:
ABSTAIN:
ABSENT:

ATTEST: _____
Shereme Watson,
Deputy Board Secretary

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS:

1. Found the foregoing recitals to be true;
2. Encourages local access to competent, ethical and effective mental health care services and does not support financial fraud, abuse, harm, negligent care or any form of illegal wrongdoing in the context of mental health services care;
3. Supports the idea of lawfully reporting known or reasonably probable instances of financial fraud, abuse or negligent care occurring in the context of mental health care services so that they can be fully investigated by the appropriate authorities, and the District will provide on its website the contact information for the Office of the Patients' Rights Advocate for each county having territory within the boundaries of the District; and
4. Authorized the District CEO to cause to be taken those necessary and convenient steps to finalize and post the information called for within this resolution, to the District's website.

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