

Leaders vow to review system

By [Carolyn Tuft](#) and [Joe Mahr](#)

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Reforming Missouri's mental health system that fails to protect mentally retarded and mentally ill residents from abusive and neglectful workers will be a top priority for state lawmakers next session, legislative leaders said last week.

"First and foremost, we have a basic obligation to protect these, the most vulnerable people of our society," said Senate President Pro Tem Michael Gibbons, R-Kirkwood. "I think it is past time to give the Department of Mental Health a very thorough review. I can understand a serious problem when I see one, and this needs to be addressed."

Gibbons and other state leaders were responding to a Post-Dispatch investigation that showed:

- * 21 deaths linked to abuse and neglect at privately run homes and state-run centers for mentally retarded and mentally ill residents from 2000 through 2005.
- * 2,287 confirmed cases of abuse and neglect since 2000, including 323 cases that involved injuries. Coding errors in the Department of Mental Health database made it impossible to determine how many suspicious deaths or injuries were not investigated.
- * Department investigations were repeatedly criticized by federal inspectors as inadequate.
- * Officials broke state law more than half the time by failing to notify law enforcement of serious allegations of mistreatment - sexual assaults or serious injuries.
- * When they were notified, police often failed to write incident reports or investigate.

* The direct-care workers who staff state and private facilities earn low pay and get little training for jobs that can be dangerous.

The problems outlined by the Post-Dispatch were so troubling, some state leaders said, they are willing to work together across party lines to fix the system.

On Thursday, Republican Gov. Matt Blunt issued a news release saying he had asked Lt. Gov. Peter Kinder to oversee a study of the department's problems that will involve help from the Missouri departments of Public Safety, and Health and Senior Services. Blunt declined to be interviewed.

Kinder issued a statement Friday pledging to "get to the bottom of this life-and-death problem." He declined to be interviewed.

Other legislators and elected officials said they were shocked and saddened by the problems in the Department of Mental Health.

"I'm just appalled," said House Minority Leader Jeff Harris, D-Columbia. "When you read that these most vulnerable citizens have been mistreated and when you read that their family members and loved ones are operating in the dark while bad things are happening to them, it makes you angry."

Most troubling to some state officials is that the department has used a 1980 law allowing it to keep secret records about abuse or neglect.

Attorney General Jay Nixon and State Auditor Claire McCaskill, both Democrats, said it is time for the secrecy to end.

"I think the law is obviously being used by the department as a shield to keep light from shining on a tired and inattentive system," said Nixon, who has announced plans to challenge Blunt in 2008. "Quite frankly, I think society is far beyond that."

McCaskill, who is running for the U.S. Senate, said the department needs to respond with spot inspections, annual surveys, problems posted for the public to see, financial penalties for wrongdoers, cameras inside the homes and criminal prosecutions of abusers.

Republican Sen. Gibbons, Democratic Rep. Harris, Senate Majority Floor Leader Charlie Shields, R-St. Joseph, and Rep. Rob Schaaf, R-St. Joseph, who sits on a committee that deals with the Mental Health Department, indicated that they were willing to make changes.

"I've always viewed the protection of the mentally ill and mentally retarded as

a core function of government," Shields said. "It is what we are supposed to do."

Cathy Studer hopes the politicians follow through.

On Monday, Studer put her 19-year-old son into a privately run home that is supposed to be monitored by the Department of Mental Health. She said she lies awake at night second-guessing her decision.

"I think that if the legislators had a child like mine, if they had to live and deal day to day with the stress and sadness we feel for our mentally and developmentally disabled children, the laws would be rewritten," Studer said. "There would be funds. There would be availability of services. There would be accountability. Because you can't be there to help your child. You have to trust them, the state, to protect them.

"And that has not happened."

ctuft@post-dispatch.com 314-340-8105

joe.mahr@post-dispatch.com 314-340-8101

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