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PANEL IS TOLD OF MINORS COMMITTED NEEDLESSLY

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By Deseret News, Jim Rayburn, Staff Writer

Members of the Legislative Social Services Interim Committee heard testimony Wednesday that some Utah minors are unnecessarily being committed to psychiatric facilities.

House Bill 96, which would require a second doctor's opinion before a minor could be committed to a psychiatric institution, was tabled during the past legislative session for further study. Under current Utah law, parents have the sole authority to commit children to private treatment facilities. Rep. Kirt Oscarson, who introduced the bill, said evidence supports the claim that minors are being committed to institutions when less restrictive measures could be used. He said he knows of several instances where this has happened locally.

"Yes, I do recognize that there are many kids who need help, but let's do it properly," Oscarson said.

Representatives from various state agencies and private institutions addressed both sides of the issue in front of the committee studying the bill. Representatives from several private medical and psychiatric organizations told the committee that the

problem is not as serious as some are saying and that it only involves a small percentage of the minors being treated at the facilities.

Jared Balmer, executive director of Rivendell Hospital, told the committee that he does not believe there is a problem of minors unnecessarily being committed.

"We have to be careful not to over-correct a problem that is not that big," said Dr. Richard Ferre, Primary Children's Hospital.

But Richard Winter, vice chairman of the Salt Lake County Commission on Youth, told the committee that evidence suggests minors are being held in psychiatric facilities without due cause. "We do have a problem, or at the very least the ingredients for a problem," Winter said.

Barbara Thompson, state director of the Division of Family Services, agreed. She said many times less restrictive treatment is being bypassed for more strict treatment. "Parents are being made to believe that there is a quick fix," Thompson said.

Some are blaming increased competition among mental health care providers for the problem. Mental health care has become big business in Utah and many institutions are aggressively advertising to attract clients. The economic reasons for treatment are overriding the welfare reasons, they said.

Officials said the period of treatment usually coincides with whatever is allowed by the insurance coverage. Once the coverage runs out the treatment is terminated.

Several of the members of the committee were upset with medical representatives who said that the number of minors unnecessarily detained is insignificant.

Sen. Frances Farley said she was "appalled" when one representative said he did not know how many minors were victims of unnecessary detainment.

"I tend to think that if there has been one incident that that's one incident too many," Rep. Joanne R. Milner said.



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Several of the officials said the problem should be handled at the licensing level. The most popular suggestion was requiring each patient to be reviewed

by a "neutral fact finder" before admittance is allowed into a treatment facility.

Janetha W. Hancock, associate general counsel for the Legislature, said Utah's law on psychiatric treatment of minors is outdated and likely unconstitutional.

The committee, in support of stricter rules on health care providers, asked Rep. Oscarson to fine tune HB89 and have it ready for presentation to the committee by October.

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