

Public Comment: Support for SB 550 (The H.E.R. Parity Act)

TO: Chair Beidle and members of the Senate Finance Committee

FROM: Whitney Donley

HEARING DATE: February 24, 2026

BILL: SB 550 – Health Care Decisions Act – Surrogate Decision Making – Mental Disorders

POSITION: SUPPORT (FAV)

Testimony

I am submitting this testimony as a family member who has had the painful privilege of a front-row seat to a systemic breakdown. I am here to urge a FAVORABLE report on SB 550, also known as The H.E.R. Parity Act.

For years, I have watched a loved one—a devoted advocate and mother—tirelessly battle a healthcare system that seems designed to shut her out. I have witnessed the "exhaustion of the advocate," seeing her navigate a labyrinth of insurance hurdles, administrative chaos, and legal barriers, all while trying to save the life of a child with multiple disabilities and a mental health disorder.

The Reality of Decompensation

The most heartbreaking part of this journey has been watching the decompensation. I have seen the moments when medical intervention was most critical, yet legally blocked.

* I have watched a child's stability slip away because the law refused to recognize a surrogate's voice for mental health stabilization.

* I have seen the "revolving door" in action: a child is discharged in a state of crisis because a parent was forbidden from authorizing the very treatment that would have prevented a relapse.

* I have watched a medical crisis unnecessarily transform into a legal one, simply because our current statutes do not provide the same parity for mental health as they do for physical health.

*As an aunt observing the distressing experiences faced by my autistic nephew, it is heartbreaking to see him endure the most suffering. I vividly recall the day he was discharged from a psychiatric hospital, treated with utter disregard. His mother, my sister, was only informed of his release at 5 PM, just moments before he was set to leave. He was released into an unfamiliar area during the chaos of rush hour, without a functioning cellphone. This left our family scrambling to ensure his safe return home on such short notice.

How SB 550 Resolves the Concern

This bill is the solution we have been waiting for. It removes the "procedural negligence" that currently leaves families standing on the sidelines while their loved ones suffer.

* Empowered Representation: It ensures that when a child lacks the capacity to make decisions during a mental health crisis, a trusted surrogate can step in immediately to authorize care—resolving communication breakdowns in minutes that currently take weeks of legal maneuvering.

* Ending the Criminalization of Health: By allowing for surrogate decision-making, we stop the cycle that leads from the emergency room to the justice system. We choose stabilization over incarceration.

* Fiscal and Human Responsibility: As a taxpayer, I see the waste in repeated, failed ER visits and improper discharges. SB 550 provides a precise, less restrictive tool than guardianship, honoring the patient's documented wishes through an empowered family voice.

We are not asking the state to take over; we are asking the state to stop cutting the safety net that families are trying to provide. Please support SB 550 to ensure that equity and representation finally extend to our mental health community.

Sincerely,

Whitney Donley