

TO: Senator Pamela G. Beidle, Chair, and Members of the Finance Committee

FROM: Whitney Donley

DATE: March 6, 2026

RE: SUPPORT for SB 549 – Mental Health - Treatment Plans for Individuals in Facilities - Participation of Family Members or Other Individuals (The H.E.R. Continuity of Care Act)

The Perspective of the Extended Family:

I am submitting this testimony as an extended family member who has had the painful privilege of a front-row seat to a systemic breakdown. I previously provided testimony to urge a favorable report on SB 550, and I return today because SB 549 is the essential next step in correcting a fractured system.

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. But this battle does not happen in isolation. As her extended support system, we are not just observers; we are stakeholders. When the medical infrastructure fails, the extended family is forced to become the crisis response team.

We step in to fill the gaps, sharing the emotional, physical, and financial toll of navigating administrative chaos and legal barriers just to help save the life of a young adult with multiple disabilities and a mental health disorder. The breakdown of this system does not just exhaust the immediate family; it fractures the entire support network trying to hold the safety net together.

The Breakdown of Continuity of Care:

The most frustrating part of this journey is seeing how the current system isolates patients in facilities by silencing the very people who know them best. This lack of collaboration destroys any chance at true continuity of care, leading to a cycle of failed interventions.

* **The Revolving Door of Disengagement:** I have seen the "revolving door" in action, where a young adult is discharged from a facility in a state of crisis. This happens not only because of legal barriers but because loved ones are legally shut out of the treatment planning process, preventing them from holding the clinical team accountable. When families are not engaged as active participants, clinical expectations go unmet.

The child is sent home to a situation that is fundamentally unsafe, ensuring a return to the emergency room within days and throwing the family's support system back into crisis mode.

* **Systemic Negligence and Legal Fallout:** I have watched medical crises unnecessarily transform into legal ones. When mental health needs go unaddressed—often because the patient lacks the capacity to fully communicate their internal reality to facility staff without the help of a trusted individual—the result is frequently a transition from a healthcare crisis to a criminal one. We are essentially criminalizing symptoms that could have been stabilized if the facility had simply allowed for family participation and clinical oversight.

Healing, Equity, and Representation

SB 549—The H.E.R. Continuity of Care Act—is exactly what its name promises: Healing, Equity, and Representation. It removes the procedural negligence that currently leaves families standing on the sidelines.

* **Representation in Treatment Plans:** By officially integrating family members or other designated individuals into treatment plans within facilities, SB 549 ensures that a young adult is not just "processed," but accurately understood and treated.

* **Equity in Health over Criminalization:** We must stop the cycle that leads from the facility to the justice system. By recognizing the limitations of a patient's self-communication during a crisis, SB 549 allows for a more comprehensive clinical picture, prioritizing medical stabilization over incarceration.

* Healing through Continuity of Care: True healing requires a seamless transition from facility care to community and home support. By empowering the family voice in the treatment plan, SB 549 provides the structure needed to bridge that critical gap, preventing wasteful, repeated ER visits and improper discharges.

Conclusion:

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 549 to ensure that healing, equity, representation, and vital continuity of care finally extend to our mental health community.

Sincerely,

Whitney Donley