

Law, the Role of Government and the Future of Public Mental Health

Executive Summary

With the publication of this briefing paper, the National Association of State Mental Health Program Directors (NASMHPD) continues its longstanding commitment to scan the environment in order to identify and address issues of importance to the present and future delivery of mental health services.

In 1998, the Center for Mental Health Services, through the National Technical Assistance Center for State Mental Health Planning, collaborated with NASMHPD and the NASMHPD Research Institute, Inc., to convene a national experts meeting, "The Future of Mental Health Services." Designed to bring together some of the most forward-thinking mental health policy makers, researchers, providers, consumers and advocates in the country, the meeting addressed a number of emerging environmental trends critical to mental health services.

For some years, NASMHPD and the NASMHPD Research Institute, Inc., have joined together to annually interview the nation's state mental health agency (SMHA) directors and other senior staff to assess the state of service development and delivery; fiscal trends; shifts in organizational role and function; changing political environments, legal and legislative developments; influence of consumers and families; and trends in treatment, rehabilitation and recovery, among a number of others. In 1997 and again in 1999, senior NASMHPD and NASMHPD Research Institute, Inc. staff published journal articles that reflected their best assessments of the issues facing state mental health authorities, based on those interviews.

Of the many issues identified as of concern to state mental health agencies, few are as pressing as the legal, legislative and governance issues with which state mental health authorities must grapple every day. The relationship among law and government and mental health systems is complex and constantly changing, challenging SMHAs to maintain their flexibility and focus under often trying circumstances.

In this paper, John Petrilá--one of the nation's leading authorities on mental health law--reviews the evolution of mental health law and the role of government in the development and delivery of mental health services over the last 40 years. Petrilá then invites readers to consider with him a series of issues that he believes will be central to delivery of mental health services of the future.