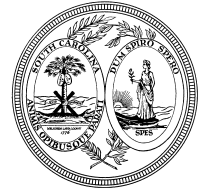




## SUMMARY



# RESPONSE TO OVERSIGHT COMMITTEE

## A Limited Review of Issues at the S.C. Department of Mental Health

### INTRODUCTION

In January 2015, state law was amended to declare that periodic reviews should be conducted of programs, agencies, and departments and their responsiveness to the needs of the state's citizens by an Oversight Committee of the Senate or House of Representatives.

The Senate Medical Affairs Committee directed the Legislative Audit Council to perform an audit of issues related to the Senate's oversight of the S.C. Department of Mental Health and report on the results by October 2015.

Our response was provided to the committee on October 29, 2015.

SOUTH CAROLINA GENERAL ASSEMBLY

**Legislative Audit Council**  
Independence, Reliability, Integrity

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Director

**REVIEW THE SALE OF THE DMH BULL STREET CAMPUS TO DETERMINE AND EVALUATE THE TERMS OF THE SALE AND DMH'S PLANS FOR THE USE OF THE PROCEEDS FROM THE SALE.**

As of September 23, 2015, DMH had been paid \$4,419,183 from the sale of certain parcels of this land. The DMH Commission voted to use all of the proceeds from the sale of this property as one-time matching funds for the development of new affordable housing for patients.

**DETERMINE WHETHER THE RESPONSIBILITIES OF DMH, AS ESTABLISHED BY THE SEXUALLY VIOLENT PREDATOR ACT (S.C. CODE §44-48-10 ET SEQ.), ARE APPROPRIATE FOR THIS AGENCY OR SHOULD BE ASSIGNED TO ANOTHER ENTITY AND REVIEW THE ADEQUACY OF THE FUNDING AND RESOURCES FOR THE PROGRAM.**

Given constitutional concerns and the practice of most states in having a mental health department administer the sexually violent predator program, we found no compelling reason for an agency other than DMH to administer South Carolina's sexually violent predator treatment program.

**EVALUATE WHETHER THE DEPARTMENT OF MENTAL HEALTH AND THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES SHOULD BE COMBINED INTO ONE DEPARTMENT.**

We identified and discussed various issues which should be considered if these two agencies were consolidated, including the differing governance and service delivery models. We found that collaboration could be increased and cost benefits with administrative colocation have already been realized. Also, from our review of Southeastern states, there does not appear to be a leading organizational form that is most beneficial for the treatment of mental health and substance abuse patients.

**REVIEW THE EFFICIENCY AND EFFECTIVENESS OF THE REQUIREMENTS OF THE FORENSICS PROGRAM OPERATED BY DMH.**

We reviewed the timeframes relating to initial evaluations and restoration of individuals regarding competency to stand trial. We recommend that the General Assembly amend state law to increase the maximum time limit that DMH has to restore defendants to competency to stand trial from 60 days to 6 months.

OCTOBER 2015