

and a description of needs for such activities and services which have not been met by systems established under this subchapter.

(b) In preparing each statement required by subsection (a) of this section, the Secretary shall use and include information submitted to the Secretary in the reports required under section 10805(a)(7) of this title.

(Pub. L. 99-319, title I, §114, May 23, 1986, 100 Stat. 484; Pub. L. 102-173, §10(2), Nov. 27, 1991, 105 Stat. 1219; Pub. L. 106-402, title IV, §401(b)(13)(B), Oct. 30, 2000, 114 Stat. 1739.)

#### AMENDMENTS

2000—Subsec. (a). Pub. L. 106-402 substituted “section 15005 of this title” for “section 6006(c) of this title” in introductory provisions.

1991—Subsec. (a). Pub. L. 102-173 substituted “individuals with mental illness” for “mentally ill individuals” wherever appearing.

#### § 10825. Technical assistance

The Secretary shall use not more than 2 percent of the amounts appropriated under section 10827 of this title to provide technical assistance to eligible systems with respect to activities carried out under this subchapter, consistent with requests by such systems for such assistance.

(Pub. L. 99-319, title I, §115, May 23, 1986, 100 Stat. 484; Pub. L. 100-509, §7(b)(2), Oct. 20, 1988, 102 Stat. 2545.)

#### AMENDMENTS

1988—Pub. L. 100-509 amended section generally. Prior to amendment, section read as follows: “The Secretary shall provide technical assistance to eligible systems with respect to activities carried out under this subchapter.”

#### § 10826. Administration

##### (a) In general

The Secretary shall carry out this subchapter through the Administrator of the Substance Abuse and Mental Health Services Administration.

##### (b) Regulations

Not later than 6 months after November 27, 1991, the Secretary shall promulgate final regulations to carry out this subchapter and subchapter III of this chapter.

(Pub. L. 99-319, title I, §116, May 23, 1986, 100 Stat. 485; Pub. L. 102-173, §9, Nov. 27, 1991, 105 Stat. 1219; Pub. L. 102-321, title I, §163(c)(3)(B), July 10, 1992, 106 Stat. 377.)

#### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-321 substituted “the Substance Abuse and Mental Health Services Administration” for “the Alcohol, Drug Abuse, and Mental Health Administration”.

1991—Pub. L. 102-173 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

#### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-321 effective Oct. 1, 1992, see section 801(c) of Pub. L. 102-321, set out as a note under section 236 of this title.

#### § 10827. Authorization of appropriations

There are authorized to be appropriated for allotments under this subchapter, \$19,500,000 for

fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 2003.

(Pub. L. 99-319, title I, §117, May 23, 1986, 100 Stat. 485; Pub. L. 100-509, §7(f), Oct. 20, 1988, 102 Stat. 2546; Pub. L. 102-173, §8, Nov. 27, 1991, 105 Stat. 1219; Pub. L. 106-310, div. B, title XXXII, §3206(f), Oct. 17, 2000, 114 Stat. 1195.)

#### AMENDMENTS

2000—Pub. L. 106-310 substituted “2003” for “1995”.

1991—Pub. L. 102-173 amended section generally. Prior to amendment, section read as follows: “For allotments under this subchapter, there are authorized to be appropriated \$14,300,000 for fiscal year 1989, and such sums as may be necessary for fiscal year 1990 and fiscal year 1991.”

1988—Pub. L. 100-509 amended section generally. Prior to amendment, section read as follows: “For allotments under this subchapter, there are authorized to be appropriated \$10,000,000 for fiscal year 1986, \$10,500,000 for fiscal year 1987, and \$11,025,000 for fiscal year 1988.”

#### EFFECTIVE DATE OF 1988 AMENDMENT

Section 8 of Pub. L. 100-509 provided that:

“(a) IN GENERAL.—The amendments made by this Act [amending sections 10802, 10804 to 10806, 10821, 10822, and 10825 of this title], other than the amendment made by section 7(f) [amending this section], shall become effective on the date of the enactment of this Act [Oct. 20, 1988].

“(b) AUTHORIZATION OF APPROPRIATIONS.—The amendment made by section 7(f) [amending this section] shall become effective on October 1, 1988.”

#### SUBCHAPTER II—RESTATEMENT OF BILL OF RIGHTS FOR MENTAL HEALTH PATIENTS

#### § 10841. Restatement of bill of rights

It is the sense of the Congress that, as previously stated in title V of the Mental Health Systems Act [42 U.S.C. 9501 et seq.], each State should review and revise, if necessary, its laws to ensure that mental health patients receive the protection and services they require, and that in making such review and revision, States should take into account the recommendations of the President's Commission on Mental Health and the following:

(1) A person admitted to a program or facility for the purpose of receiving mental health services should be accorded the following:

(A) The right to appropriate treatment and related services in a setting and under conditions that—

(i) are the most supportive of such person's personal liberty; and

(ii) restrict such liberty only to the extent necessary consistent with such person's treatment needs, applicable requirements of law, and applicable judicial orders.

(B) The right to an individualized, written, treatment or service plan (such plan to be developed promptly after admission of such person), the right to treatment based on such plan, the right to periodic review and reassessment of treatment and related service needs, and the right to appropriate revision of such plan, including any revision necessary to provide a description of mental