

**§ 10713. Authorization of appropriations**

There are authorized to be appropriated to carry out the purposes of this chapter, \$7,000,000 for each of fiscal years 2005, 2006, 2007, and 2008. Amounts appropriated for each such year are to remain available until expended.

(Pub. L. 98-620, title II, §215, Nov. 8, 1984, 98 Stat. 3346; Pub. L. 100-690, title VII, §7321(a), Nov. 18, 1988, 102 Stat. 4466; Pub. L. 100-702, title VI, §607, Nov. 19, 1988, 102 Stat. 4654; Pub. L. 101-162, title V, Nov. 21, 1989, 103 Stat. 1028; Pub. L. 102-572, title VIII, §801, Oct. 29, 1992, 106 Stat. 4515; Pub. L. 108-372, §2, Oct. 25, 2004, 118 Stat. 1754.)

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title II of Pub. L. 98-620, Nov. 8, 1984, 98 Stat. 3336, known as the State Justice Institute Act of 1984, which is classified principally to this chapter. For complete classification of title II to the Code, see Short Title note set out under section 10701 of this title and Tables.

## AMENDMENTS

2004—Pub. L. 108-372 amended section generally, inserting section catchline and substituting provisions authorizing appropriations for fiscal years 2005 to 2008 for provisions authorizing appropriations for fiscal years 1993 to 1996.

1992—Pub. L. 102-572 amended section generally. Prior to amendment, section authorized appropriations of \$15,000,000 for each of fiscal years 1989, 1990, 1991, and 1992.

1989—Pub. L. 101-162 repealed Pub. L. 100-702, §607, and revived Pub. L. 100-690, §7321(a). See 1988 Amendment notes below.

1988—Pub. L. 100-702, §607, which amended section generally, substituting appropriations authorization of \$15,000,000 for fiscal years 1989 and 1990, such amounts to remain available until expended for authorization of \$15,000,000 for fiscal years 1989, 1990, 1991, and 1992, was repealed by Pub. L. 101-162, title V.

Pub. L. 100-690, §7321(a), as revived by Pub. L. 101-162, title V, amended section generally, substituting appropriations authorization of \$15,000,000 for fiscal years 1989 through 1992 for authorization of \$13,000,000 for fiscal year 1986 and \$15,000,000 for fiscal years 1987 and 1988.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 216 of Pub. L. 98-620, set out as a note under section 10701 of this title.

**CHAPTER 114—PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS****SUBCHAPTER I—PROTECTION AND ADVOCACY SYSTEMS**

## PART A—ESTABLISHMENT OF SYSTEMS

Sec.	
10801.	Congressional findings and statement of purpose.
10802.	Definitions.
10803.	Allotments.
10804.	Use of allotments.
10805.	System requirements.
10806.	Access to records.
10807.	Legal actions.

## PART B—ADMINISTRATIVE PROVISIONS

10821.	Applications.
--------	---------------

Sec.	
10822.	Allotment formula and reallocations.
10823.	Payments under allotments.
10824.	Reports by Secretary.
10825.	Technical assistance.
10826.	Administration.
10827.	Authorization of appropriations.

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

10841.	Restatement of bill of rights.
--------	--------------------------------

**SUBCHAPTER III—CONSTRUCTION**

10851.	Construction of subchapters I and II; "individual with mental illness" defined.
--------	---

**SUBCHAPTER I—PROTECTION AND ADVOCACY SYSTEMS**

## PART A—ESTABLISHMENT OF SYSTEMS

**§ 10801. Congressional findings and statement of purpose**

(a) The Congress finds that—

(1) individuals with mental illness are vulnerable to abuse and serious injury;

(2) family members of individuals with mental illness play a crucial role in being advocates for the rights of individuals with mental illness where the individuals are minors, the individuals are legally competent and choose to involve the family members, and the individuals are legally incompetent and the legal guardians, conservators, or other legal representatives are members of the family;

(3) individuals with mental illness are subject to neglect, including lack of treatment, adequate nutrition, clothing, health care, and adequate discharge planning; and

(4) State systems for monitoring compliance with respect to the rights of individuals with mental illness vary widely and are frequently inadequate.

(b) The purposes of this chapter are—

(1) to ensure that the rights of individuals with mental illness are protected; and

(2) to assist States to establish and operate a protection and advocacy system for individuals with mental illness which will—

(A) protect and advocate the rights of such individuals through activities to ensure the enforcement of the Constitution and Federal and State statutes; and

(B) investigate incidents of abuse and neglect of individuals with mental illness if the incidents are reported to the system or if there is probable cause to believe that the incidents occurred.

(Pub. L. 99-319, title I, §101, May 23, 1986, 100 Stat. 478; Pub. L. 102-173, §§3, 10(2), Nov. 27, 1991, 105 Stat. 1217, 1219.)

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original "this Act", meaning Pub. L. 99-319, May 23, 1986, 100 Stat. 478, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note below and Tables.

## AMENDMENTS

1991—Subsec. (a). Pub. L. 102-173, §10(2), substituted "individuals with mental illness" for "mentally ill individuals" in three places.