

The Boston Globe

OSHA's misguided response conflicts with state provisos

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THE AUG. 12 editorial "In fining mental-health provider, OSHA sends a strong message" missed critical points in its support of the Occupational Safety and Health Administration's misguided response to the tragic death of Stephanie Moulton in January.

Moulton worked at a home, not a "facility," as the editorial stated. The terms are very different and carry tremendous weight for employees and residents. These are individuals' homes, from where they leave for school, work, occupational training, and other programs. In 1999, the US Supreme Court in its Olmstead decision ruled that individuals with a disability have the right, with proper support, to live as independently as possible.

North Suffolk Mental Health and other organizations are hired by the state Department of Mental Health to provide community-based services to individuals who have been determined eligible to receive state-funded services in accordance with the Olmstead decision. Some of OSHA's recommendations are in direct conflict with the state's expectations of what is to be offered to individuals with mental illness.

The state DMH task force on staff and patient safety, on which I served, emphasized the need for greater staff training, coordination of services, and communication. The report makes the important point that most individuals with mental illness pose no greater threat of violence than any other member of society. In fact, DMH clients are more likely to be victims than perpetrators of acts of violence

Following OSHA's decision, a coalition of consumer, provider, and advocacy organizations released a statement criticizing the agency. We hope that OSHA's decision is reviewed and amended.

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