

Why Must Society Accept Untreated Mental Illness?



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By **RACHEL PRUCHNO** | OP-ED

DECEMBER 19, 2014, 1:23 PM

The families of nine people killed in the Newtown school massacre filed a lawsuit Monday. The suit charged Bushmaster Firearms International, Camfour Inc. and Riverview Gun Sales with wrongful death in the 2012 tragedy that left 20 children and six educators dead at Sandy Hook Elementary School. Right idea. Wrong defendants.

The Bushmaster AR-15 rifle worked exactly as intended. Camfour, a firearms distributor, followed the letter of the law. Riverview adhered to protocol when it sold the gun, used by her son, to Nancy Lanza.

The Newtown families should be suing the federal government for wrongful death on the basis that its mental health laws failed to function as intended. Our laws prevented Adam Lanza from getting treatment and they failed to protect the public from foreseeable harm.

The recently released report from The Connecticut Office of the Child Advocate, like earlier reports, made it clear that Adam Lanza suffered from untreated mental illness. Although it's true that people with mental illness rarely are violent, we too often have seen what can happen when serious mental illness goes untreated.

Current laws prohibited my husband and me from helping our daughter who was diagnosed with ADHD,

bipolar disorder and borderline personality disorder. Although her health care providers agreed she was incompetent to make health care decisions, as her parents, we were powerless to help her because she was legally an adult who could not be compelled to seek treatment. Adam Lanza's mother knew her son was sick, but the law prevented her from helping him.

It's the responsibility of government to protect the rights and personal safety of citizens. Laws impeding people with mental illness from getting the help they need and allowing untreated mental illness to persist neglect this responsibility and put citizens at risk. An effort to insist that our government protect its citizens from foreseeable harm associated with untreated mental illness is long overdue.

Surprisingly, laws governing the rights of individuals and society when mental illness is suspected are inconsistent with laws pertaining to other health conditions. We prohibit people with typhoid fever from working in restaurants because they pose a threat to public health. Likewise, we do not allow people with active tuberculosis to use public transportation and we insist that people with epilepsy take medication if they are going to drive cars. Mental illness should not be treated any differently than these other organically based illnesses. Because mental illness, when allowed to go untreated, can pose a danger to others.

To be sure, current laws are a backlash to the atrocities associated with enforced institutionalization of the 19th and early 20th centuries. Previous laws robbed people with mental illness of their autonomy and were inhumane. But the pendulum has swung back too far.

It's very difficult to change laws. It takes time. It takes a long pattern of abuse recognized by the public and lawmakers. It takes public groundswell. Or, it takes a high profile lawsuit like *Brown v. the Board of Education* or *Roe v. Wade*.

Or maybe *Newtown v. United States*.

Certainly, suing the government is extreme. But the lack of progress made toward improving life for people with mental illness is shameful. Today, too many people with mental illness are imprisoned or roaming the streets homeless. Caring families must watch helplessly as their loved ones spiral out of control. We owe those who suffer severe mental illness, and their families, more.

And we owe our citizens more. Each time a tragedy involving mental illness occurs, there's lots of handwringing but very little action by elected officials. What's necessary for change is to make it more costly for our government to continue doing nothing than to take decisive action.

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