

## The Mental Health Policy in the State of Espírito Santo, Brazil: Judicialization

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**Abstract :** The phenomenon of judicialization in health policy brings with it a great deal of problematization, but in general, it means that some issues that were previously solved by traditional political bodies are being decided by the Judiciary bodies. It is, therefore, a controversial topic that has generated many reflections both in the academic and political fields, considering that not only a dispute of public funds is at stake, but also the debate on access to social rights provided for in the Brazilian Federal Constitution of 1988 and in the various public policies, such as healthcare. With regard to the phenomenon in the Mental Health Policy focusing on people who use drugs, the disputes that permeate this scenario are evident: moral, cultural, sanitary, economic, psychological aspects. There are also the individual and collective dimensions of suffering. And in this process, we all question: What is the role of the Brazilian State in this matter? In this context, another question that needs to be answered is the amount spent on this procedure in the state of Espírito Santo (ES), Brazil (in the last 04 years, around R\$121,978,591.44 were paid only for compulsory hospitalization of individuals) in the field in question, which is the financing of the services of the Psychosocial Care Network (RAPS). Therefore, this article aims to problematize the phenomenon of judicialization in Mental Health Policy through the compulsory hospitalization of people who use drugs in Espírito Santo (ES). We proposed a study that sought to understand how this has been occurring and making an impact on the provision of RAPS services in the Espírito Santo scenario. Therefore, the general objective of this study is to analyze the expenses with compulsory hospitalizations for drug use carried out by the State Health Department (SESA) between 2014 and 2019, in which we will seek to identify its destination and the impact of these actions on public health policy. For the purposes of this article, we will present the preliminary data of this study, such as the amount spent by the state and the receiving institutions. For data collection, the following data sources were used: documents available publicly on the Transparency Portal (payments made per year, institutions that received, subjects hospitalized, period and the amount of the daily rates paid); as well as the processes generated by SESA through its own system - ONBASE. For qualitative analysis, content analysis was used; and for quantitative analysis, descriptive statistics was used. Thus, we seek to problematize the issue of judicialization for compulsory hospitalizations, considering the current situation in which this resource has been widely requested to legitimize the war on drugs. This scenario highlights the moral-legal discourse, pointing out strategies through the control of bodies and through faith as an alternative.

**Keywords :** compulsory hospitalization, drugs, judicialization, mental health

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