

1 SENATE JOINT MEMORIAL 28

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING THE CREATION OF A STATEWIDE TASK FORCE TO ASSESS AND  
12 IMPROVE ACCESS TO SUBSTANCE ABUSE TREATMENT AND PRENATAL CARE  
13 FOR PREGNANT WOMEN WITH SUBSTANCE ABUSE PROBLEMS.

14  
15 WHEREAS, the Family Preservation Act affirms the state's  
16 policy to support families and emphasize the responsibilities  
17 of parents and the state in the healthy development in children  
18 and the family as an institution; and

19 WHEREAS, New Mexico has a commitment to strengthen  
20 families in crisis and at risk of losing their children so that  
21 children can remain safely in their own homes; and

22 WHEREAS, prenatal medical care is recommended for women  
23 before and during pregnancy to improve pregnancy outcomes  
24 through prevention and detection of and early intervention in  
25 problems; and

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1           WHEREAS, the New Mexico legislature has supported prenatal  
2 care and protected the confidentiality of the practitioner-  
3 patient relationship; and

4           WHEREAS, substance abuse treatment is a proven public  
5 safety and health measure; and

6           WHEREAS, the state is keenly aware that pregnant,  
7 substance-using women and their children suffer from the  
8 adverse effects of addiction and the state is dedicated to  
9 enhancing and mobilizing the health and human services programs  
10 that these individuals need; and

11           WHEREAS, pregnant women with substance abuse problems may  
12 not seek prenatal care because of stigma and fear; and

13           WHEREAS, one of the best opportunities to approach and  
14 intervene with women with substance abuse problems is during  
15 pregnancy, when motivation is high to seek treatment for  
16 addiction; and

17           WHEREAS, early intervention efforts during the prenatal  
18 period increase the likelihood that women will successfully  
19 recover from alcohol and other drug abuse; and

20           WHEREAS, a continuum of prenatal and postnatal services is  
21 needed to help women successfully parent their children,  
22 maintain recovery from substance abuse and address complex  
23 social needs; and

24           WHEREAS, the social and financial costs to incarcerate a  
25 woman with substance abuse problems far outweigh the costs of

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1 providing specialized prenatal and family-oriented substance  
2 abuse treatment; and

3 WHEREAS, prominent public health and medical organizations  
4 agree that a punitive approach to drug use during pregnancy has  
5 been shown to erode women's willingness to seek health care or  
6 to confide in their health care providers if they do seek such  
7 care; and

8 WHEREAS, these organizations include the New Mexico  
9 section of the American college of obstetricians and  
10 gynecologists, the New Mexico public health association, the  
11 New Mexico nurses association, the American college of  
12 physicians, the national association of social workers, the  
13 national association of social workers-New Mexico, the American  
14 college of obstetricians and gynecologists, the American  
15 academy of pediatrics, the march of dimes, the national  
16 association of public child welfare administrators, the  
17 national council on alcoholism and drug dependence, the  
18 American nurses association, the American public health  
19 association, the American academy of addiction psychiatry, the  
20 national perinatal association and the center for the future of  
21 children; and

22 WHEREAS, threats of arrest and prosecution will deter many  
23 pregnant women from seeking prenatal care and drug and alcohol  
24 treatment; and

25 WHEREAS, the United States has experienced a seven hundred

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1 percent increase in the incarceration of women, with drug law  
2 violations accounting for one-third of the increase; and

3 WHEREAS, incarceration is not an effective method of  
4 treatment for women struggling with substance abuse;

5 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
6 STATE OF NEW MEXICO that the governor's women's health council  
7 or its successor be requested to create a task force to develop  
8 a comprehensive plan for the state to address the needs of  
9 pregnant and postpartum women with substance abuse problems and  
10 the well-being of their children and families; and

11 BE IT FURTHER RESOLVED that the plan include guidelines  
12 for a continuum of care for pregnant women with substance abuse  
13 problems, including both prenatal care and substance abuse  
14 treatment and an assessment of current needs and gaps in  
15 services and recommendations to eliminate them; and

16 BE IT FURTHER RESOLVED that the task force identify and  
17 prioritize specific short- and long-term goals and an  
18 implementation time line, identify responsible agencies and  
19 agents for each implementation goal and propose relevant action  
20 steps and performance measurements to evaluate progress for  
21 each goal; and

22 BE IT FURTHER RESOLVED that the task force be composed of  
23 experts in the fields of ethics, law, perinatal medicine,  
24 behavioral health treatment and social services;  
25 representatives from the department of health, the behavioral

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1 health purchasing collaborative, the drug policy alliance, the  
2 women's justice project and at least one woman who has  
3 recovered from perinatal substance abuse; and

4 BE IT FURTHER RESOLVED that the task force use the federal  
5 center for substance abuse treatment as a vital resource in the  
6 development of treatment guidelines; and

7 BE IT FURTHER RESOLVED that the task force provide a  
8 report to the appropriate interim health committee by November  
9 1, 2009 and present a comprehensive plan for improving access  
10 to substance abuse treatment services and prenatal care for  
11 pregnant women in New Mexico to the appropriate interim health  
12 committee by November 1, 2010; and

13 BE IT FURTHER RESOLVED that copies of this memorial be  
14 transmitted to the director of the governor's women's health  
15 council, the secretary of health, the behavioral health  
16 purchasing collaborative, the drug policy alliance and the  
17 women's justice project.