

HOUSE JOINT MEMORIAL 35

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Terry T. Maraquardt

A JOINT MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH AND THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO ACT AS LEAD AGENCIES IN DEVELOPING A PLAN FOR AN ABUSE, NEGLECT AND EXPLOITATION REGISTRY FOR STAFF WHO WORK IN COMMUNITY-BASED LONG-TERM SERVICES AND BEHAVIORAL HEALTH PROGRAMS AND IN DESIGNATED NON-ACUTE HEALTH CARE FACILITIES.

WHEREAS, numerous vulnerable New Mexicans receive health care services in community-based and facility settings; and

WHEREAS, the state is committed to assuring a safe environment from abuse, neglect and exploitation for these vulnerable persons; and

WHEREAS, the department of health has been successful in the administration of a "nurse aid registry" in the state's medicaid nursing facilities for staff with a history of

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1 substantiated abuse, neglect or exploitation; and

2 WHEREAS, the children, youth and families department has  
3 been successful in the administration of a program of  
4 investigations of allegations of abuse, neglect and  
5 exploitation of adults; and

6 WHEREAS, it is in the best interest of the state to have a  
7 broader system to prevent persons with a history of  
8 substantiated abuse, neglect and exploitation from being  
9 employed in adult community-based programs and health care  
10 facilities;

11 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
12 STATE OF NEW MEXICO that the department of health and the  
13 children, youth and families department jointly, in cooperation  
14 with consumers of these health care services, provider  
15 organizations, advocacy groups, other state agencies and other  
16 interested parties, determine the feasibility of, and cost  
17 associated with, the establishment of an abuse, neglect and  
18 exploitation registry that would identify persons with a  
19 history of substantiated abuse, neglect and exploitation and  
20 would exclude such persons from employment in community-based  
21 programs and health care facilities; and

22 BE IT FURTHER RESOLVED that the department of health and  
23 the children, youth and families department report their  
24 findings and recommendations to the legislative health and  
25 human services committee by November 1, 2002 for consideration

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1 by the forty-sixth legislature; and

2 BE IT FURTHER RESOLVED that a copy of this memorial be  
3 sent to the legislative health and human services committee,  
4 the secretary of health and the secretary of children, youth  
5 and families.

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