

A JOINT MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO LEAD A COOPERATIVE EFFORT TO DEVELOP A SYSTEM TO TRACK THE INCIDENCE OF NON-FATAL INJURIES AND DISABILITY, CONDUCT PUBLIC HEARINGS AND DEVELOP A PLAN TO ADDRESS THE LONG-TERM CARE NEEDS OF PERSONS WITH BRAIN INJURY IN NEW MEXICO.

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WHEREAS, statistics from the federal centers for disease control and prevention show that approximately one thousand seven hundred forty-five persons were hospitalized for traumatic brain injury in New Mexico in 2001; and

WHEREAS, an additional four hundred fifty-five were killed in the same year; and

WHEREAS, over nine thousand persons were treated and released from emergency rooms in New Mexico hospitals in 2001; and

WHEREAS, non-fatal injury is a major cause of disability in New Mexico; and

WHEREAS, the data system for tracking injuries in New Mexico has failed to provide adequate data on injury and the consequences of injury and does not provide sufficient information to permit appropriate planning for prevention and intervention strategies; and

WHEREAS, the United States department of transportation has developed crash outcome data evaluation systems, the results of which are submitted annually by the state highway and transportation department to the national highway traffic safety administration; and

WHEREAS, many people with brain injury in New Mexico are in serious need of community-based long-term care services that are currently not available as an

alternative to institutional care in the state; and

WHEREAS, the United States supreme court's *Olmstead* decision affirmed the right of these persons to receive community-based care as an alternative to institutional care;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the department of health be requested to lead a cooperative effort to develop a system to track the incidence, prevalence and cost of non-fatal injuries and disability in New Mexico; and

BE IT FURTHER RESOLVED that the state highway and transportation department, the human services department, the New Mexico health policy commission, the university of New Mexico health sciences center, other relevant state agencies and statewide associations and organizations representing the interests of brain injured individuals and long-term care providers be involved in this cooperative effort; and

BE IT FURTHER RESOLVED that the department of health compile information about the incidence, prevalence and cost of non-fatal injuries and make annual reports to the New Mexico legislature; and

BE IT FURTHER RESOLVED that the state highway provide the annual crash database compact disc to the department of health for use in the preparation of the department of health's annual report; and

BE IT FURTHER RESOLVED that the long-term care division of the department of health conduct public hearings across the state to collect input from the brain injury community regarding recommendations for the development and implementation of a system of long-term care for persons with brain injury; and

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BE IT FURTHER RESOLVED that the department of health use the information gathered from the public hearings and, in cooperation with the human services department, consider the viability of a medicaid waiver to meet the needs of persons with brain injury; and

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BE IT FURTHER RESOLVED that the department of health report its findings and recommendations to the interim legislative health and human services committee at its October 2003 meeting; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the department of health, the human services department, the state highway and transportation department, the New Mexico health policy commission, the university of New Mexico health sciences center and various statewide associations and organizations representing the interests of brain injured individuals and long-term care providers.