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**HOUSE JOINT MEMORIAL 30**  
**46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004**  
**INTRODUCED BY**  
**Jim Trujillo**

**A JOINT MEMORIAL**  
**REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE PUBLIC HEALTH**  
**ACT AND MAKE RECOMMENDATIONS FOR A PUBLIC HEALTH CODE TO THE**  
**INTERIM LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE.**

**WHEREAS, the legislature of the state of New Mexico**  
**enacted the Public Health Act as Laws 1973, Chapter 359; and**

**WHEREAS, the Public Health Act has been amended numerous**  
**times since 1973, and other public health-related legislation**  
**has also been enacted by the legislature; and**

**WHEREAS, the institute of medicine in 1988 recommended**  
**that states review their public health statutes and make**  
**revisions necessary to clearly delineate the basic authority**  
**and responsibility entrusted to public health agencies to**  
**support modern disease control measures and to incorporate due**  
**process safeguards; and**

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1           WHEREAS, the United States department of health and human  
2 services in 2001 recommended public health law reform as part  
3 of its healthy people 2010 initiatives, considering it one of  
4 the ten priorities for improving public health outcomes; and

5           WHEREAS, the turning point public health statute  
6 modernization national collaborative sought to strengthen the  
7 legal framework for public health law by developing a model  
8 state public health act released in January 2003 with guidance  
9 from a multi-disciplinary panel of experts in public health,  
10 law and ethics;

11           NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
12 STATE OF NEW MEXICO that the department of health and other  
13 interested state agencies and parties, with the assistance of  
14 the university of New Mexico's institute of public law and  
15 other nationally recognized consultants, study the model state  
16 public health act, the Public Health Act and related New Mexico  
17 public health statutes and rules and make recommendations to  
18 the interim legislative health and human services committee by  
19 November 1, 2004 for the enactment of a public health code to  
20 include revisions to the Public Health Act during the first  
21 session of the forty-seventh legislature in 2005 and that two  
22 copies of the recommendations be provided to the legislative  
23 council service library; and

24           BE IT FURTHER RESOLVED that copies of this memorial be  
25 transmitted to the department of health, the human services

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1 department, the children, youth and families department, the  
2 state agency on aging and the university of New Mexico  
3 institute for public law.

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