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HOUSE MEMORIAL 14

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Gail Chasey

A MEMORIAL

REQUESTING THE CREATION OF A TASK FORCE TO OVERSEE AND
IMPLEMENT THE RECOMMENDATIONS OF THE TASK FORCE CONVENED TO
ASSESS AND IMPROVE ACCESS TO SUBSTANCE ABUSE TREATMENT AND
PRENATAL CARE FOR PREGNANT WOMEN WITH SUBSTANCE ABUSE PROBLEMS.

WHEREAS, the first session of the forty-ninth legislature
passed Senate Memorial 19, which requested the governor's
women's health council to create a statewide task force to
develop a comprehensive plan for the state to address the needs
of pregnant and postpartum women with substance abuse problems
and address the well-being of the children and families of
those women; and

WHEREAS, the office of the governor's council on women's
health submitted its recommendations for a comprehensive plan
to the legislative health and human services committee in

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1 November 2010, which recommendations included reducing
2 unnecessary referrals to the children, youth and families
3 department and increasing home visitation; increasing access to
4 quality substance abuse treatment, prenatal care and family
5 planning for women; increasing access to supportive services;
6 increasing treatment over incarceration for non-violent drug-
7 related crimes; changing attitudes about substance abuse;
8 increasing research and data collection; and creating a task
9 force to oversee and implement the council's recommendations;
10 and

11 WHEREAS, the Family Preservation Act affirms the state's
12 policy of support for the family and emphasizes the
13 responsibilities of parents and the state in the healthy
14 development of children and the family as an institution; and

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

18 WHEREAS, prenatal medical care is recommended for women
19 before and during pregnancy to improve pregnancy outcomes
20 through prevention and detection of, and early intervention in,
21 problems; and

22 WHEREAS, the New Mexico legislature has supported prenatal
23 care and protected the confidentiality of the practitioner-
24 patient relationship; and

25 WHEREAS, substance abuse treatment is a proven public

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1 safety and health measure; and

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

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

9 WHEREAS, one of the best opportunities to approach and
10 intervene with women with substance abuse problems is during
11 pregnancy, when motivation is high to seek treatment for
12 addiction; and

13 WHEREAS, early intervention efforts during the prenatal
14 period increase the likelihood that women will successfully
15 recover from alcohol and other drug abuse; and

16 WHEREAS, a continuum of prenatal and postnatal services is
17 needed to help women successfully parent their children,
18 maintain recovery from substance abuse and address complex
19 social needs; and

20 WHEREAS, the social and financial costs to incarcerate a
21 woman with substance abuse problems far outweigh the costs of
22 providing specialized prenatal and family-oriented substance
23 abuse treatment; and

24 WHEREAS, prominent public health and medical organizations
25 agree that a punitive approach to drug use during pregnancy has

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1 been shown to erode women's willingness to seek health care or
2 to confide in their health care providers if they do seek such
3 care; and

4 WHEREAS, these organizations include the New Mexico
5 section of the American college of obstetricians and
6 gynecologists, the New Mexico public health association, the
7 New Mexico nurses association, the American college of
8 physicians, the national association of social workers, the
9 national association of social workers-New Mexico, the American
10 academy of pediatrics, the march of dimes, the national
11 association of public child welfare administrators, the
12 national council on alcoholism and drug dependence, the
13 American nurses association, the American public health
14 association, the American academy of addiction psychiatry and
15 the national perinatal association; and

16 WHEREAS, threats of arrest and prosecution will deter many
17 pregnant women from seeking prenatal care and drug and alcohol
18 treatment; and

19 WHEREAS, the United States has experienced a seven hundred
20 percent increase in the incarceration of women, with drug law
21 violations accounting for one-third of the increase; and

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

24 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
25 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the university

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1 of New Mexico health sciences center be requested to create a
2 task force to oversee and implement the recommendations of the
3 office of the governor's council on women's health submitted to
4 the legislative health and human services committee in November
5 2010, pursuant to Senate Memorial 19, passed by the first
6 session of the forty-ninth legislature; and

7 BE IT FURTHER RESOLVED that the task force be composed of
8 experts in the fields of ethics, law, perinatal medicine,
9 behavioral health treatment and social services;
10 representatives from the department of health, the interagency
11 behavioral health purchasing collaborative, the drug policy
12 alliance and the women's justice project; and at least one
13 woman who has recovered from perinatal substance abuse; and

14 BE IT FURTHER RESOLVED that the task force provide an
15 interim report on the progress of the task force to the
16 legislative health and human services committee by November 1,
17 2011 and present a final report to the legislative health and
18 human services committee by November 1, 2012; and

19 BE IT FURTHER RESOLVED that copies of this memorial be
20 transmitted to the university of New Mexico health sciences
21 center, the director of the office of the governor's council on
22 women's health, the secretary of health, the interagency
23 behavioral health purchasing collaborative, the drug policy
24 alliance and the women's justice project.