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Sent: Wednesday, July 06, 2016 5:47 PM
To: Mathis, Shawn; Hely, Michael
Subject: Rev Uniform Guardianship and Protective Proceedings Act comments

State of New Mexico
Legislative Health and Human Services (LHHS) Committee
Senator Gerald Ortiz y Pino, Chairman

Dear Mr. Chair:

Per the request of Representatives McSorley and Armstrong, at today's meeting, please find attached:

- (1) The proposed Revised Uniform Guardianship and Protective Proceedings Act (RUGPPA) April 2016 redline draft; and
- (2) Letter addressed to David English, with comments of the New Mexico Protective Proceedings Task Force

David English is a member of the Drafting Committee on Revised Uniform Guardianship and Protective Proceedings Act (1997/1998), of the National Conference of Commissioners on Uniform State Laws. Gregory MacKenzie drafted the letter to David English, with the concerns of the Protective Proceedings Task Force.

Please do not change the New Mexico Uniform Probate Code, based on any of the language proposed in RUGPPA. The current New Mexico Uniform Probate Code contains a checks and balances system, with essential provisions that safeguard the rights of individuals that are alleged to be incapacitated. The proposed provisions of RUGPAA would be detrimental to alleged incapacitated individuals and to the adult guardianship system as a whole. The letter to David English provides more details regarding how RUGPAA would have a devastating impact in New Mexico.

Thank you for considering the comments of the Protective Proceedings Task Force.

Most Sincerely,

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