

July 12, 2016

Dear Ms. Mathis,

I apologize for not being able to attend the July 6th LHHS Interim Meeting due to a personal family matter that needed my immediate attention.

Please post my comments under Public Comments for the July 6th meeting's agenda as found on the New Mexico Legislative Council website.

Also, I have questions/comments addressed to Lynn Gallagher, the new DOH Cabinet Secretary. If she provided answers to my questions below during her presentation, please send me her answers electronically.

- 1. How was the DOH able to license, regulate, and monitor boarding homes BEFORE 2010?**
- 2. What has occurred regarding the 2010 Task Force's recommendations for NMBHI and the DOH's Division of Health Improvement to work with boarding home operators to develop minimum standards and draft regulations for boarding homes?**
- 3. What has occurred with the recommendation to establish state oversight with contractual agreements with boarding home operators?**
- 4. The DOH has had 6 years to develop a "new set of ADL's to include boarding homes under the Assisted Living Act as well as to implement the other recommendations that I've listed. WHY HAS NO ACTION OCCURRED?**

Thank you.

Lorraine Mendiola
Lorraine Mendiola

1 in 4 of us will experience mental health problems in our lifetimes.

LHHS INTERIM COMMITTEE

July 6, 2016

Las Vegas, New Mexico

Good Morning, Chairman Senator Ortiz y Pino , Vice Chairperson Representative Espinoza, and Committee Members

My name is Lorraine Mendiola. I have a Master's Degree in Counseling and 36 years of teaching experience at the elementary level. I'm a member of NAM(National Alliance on Mental Illness), and a new member of Disability Rights New Mexico Advisory Council. Most importantly, I am the mother of a 34 year old mentally ill son named Matthew.

Since Feb. 7, 2011, my son's Guardian/Conservator has been AYUDANDO GUARDIANS. AYUDANDO GUARDIANS has placed him in 5 different boarding homes(3 have been here in Las Vegas and the other 2 in Albuquerque). At the Edward & Gerri Crespín Boarding Home located here in Las Vegas, my son was physically assaulted(hit in the face and head area 4 times) by another resident. He also smoked marijuana on the premises, was offered heroin, and lived in a "bedbug infestation". There were 15 or more residents living at this home with very limited supervision.

His most recent boarding home experience was at the Encino Boarding Home in Albuquerque. There he lived in an incomplete converted garage with no shower and no door leading to the bathroom for privacy. There was exposed wiring in the ceiling, 2 portable electric heaters(with frayed wiring) which was the only source of heat. There was 1 window 5 feet from the ground blocked by an air conditioner unit with no way to escape in the event of a fire. There was no fire extinguisher. The Albuquerque Building Code Department provided me with documentation stating the owner had no building permit and therefore this structure was illegal. I also filed a report with Adult Protective Services regarding this concern;

however, because their investigation findings are confidential I have no access to their report.

Anyone can open their home to the mentally ill and call it a "landlord-tenant" situation. Owners are not required to have a background check, training in dispensing medications, or any training in dealing with the mentally ill. Essentially, these homes are a "lucrative business" charging \$700/month or more per resident which leaves very little money from the individual's Social Security Disability check.

During my research on this issue I discovered that BEFORE 2010 the Dept. of Health licensed, monitored, and regulated boarding homes. I've also spoken with Gabrielle Sanchez-Sandoval, attorney with the Dept. of Health, and Judith Parks, Deputy Secretary of Division of Health Improvement. Both have informed me that boarding homes do not qualify as "assisted living facilities" because these homes do not provide the necessary ADL's(Adult Daily Living) required and therefore can not be licensed, regulated, and monitored by the DOH. *How were boarding homes licensed, regulated, and monitored by the DOH before 2010?*

All 5 boarding homes provided 3 meals per day, laundered bedding and clothing, cleaned the room, provided transportation to doctor appointments, and dispensed medication to individuals. *If the issue is ADL's , then a new set of ADL's needs to be developed to include boarding homes under the "assisted living"act. These vulnerable individuals have not been acknowledged since the 2010 Legislative Task Force was formed. Although recommendations were provided by several state agencies as well as from Disability Rights New Mexico, no action has been taken.*

The state of New Mexico acknowledges senior citizens, veterans, the physically disabled, the autistic, the developmentally disabled, etc. by providing services in the form of housing, activities, and advocacy. Why have the mentally ill been forgotten? Why have their civil rights been ignored?

I'm requesting that this committee or any individuals from this committee introduce legislation during the 2017 Legislative Session that requires all existing and future boarding homes in the state of New Mexico to be licensed, monitored, and regulated!

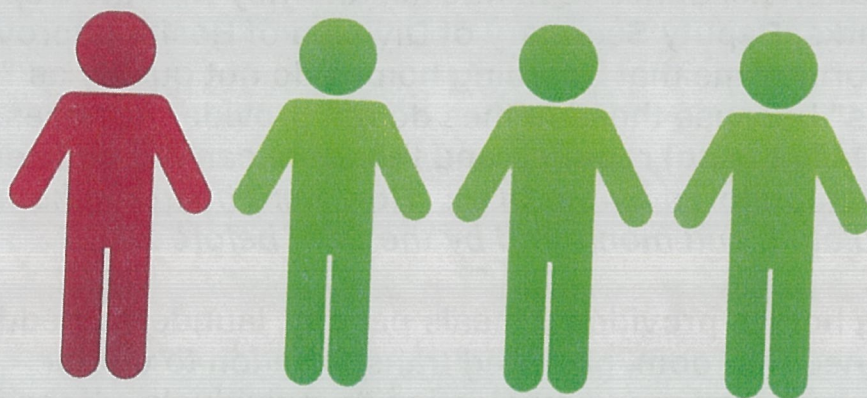
MENTAL ILLNESS IS NOT A CHARACTER FLAW! These individuals

deserve to be placed in a safe and healthy environment with oversight and accountability guaranteed by the state to insure that their needs are being met. Anything less is unacceptable!

Thank you.

Respectfully submitted,

Lorraine Mendiola



One in four people has a **mental illness**.
You can be the **one** that helps.