

SENATE JOINT MEMORIAL 10

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A LANGUAGE  
ACCESS TASK FORCE THAT INCLUDES REPRESENTATIVES FROM THE HUMAN  
SERVICES DEPARTMENT, THE CHILDREN, YOUTH AND FAMILIES  
DEPARTMENT, THE AGING AND LONG-TERM SERVICES DEPARTMENT, THE  
DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF FINANCE AND  
ADMINISTRATION AND COMMUNITY-BASED ORGANIZATIONS REPRESENTING  
DIVERSE POPULATIONS TO ENSURE THAT ALL STATE AGENCIES ARE  
IMPLEMENTING POLICIES AND PLANS TO PROVIDE FULL AND MEANINGFUL  
ACCESS TO STATE PROGRAMS AND ACTIVITIES FOR NEW MEXICO  
RESIDENTS WHO HAVE LIMITED PROFICIENCY IN ENGLISH.

WHEREAS, New Mexico is one of five majority-minority  
states with a rich and diverse population representing various  
racial and ethnic groups, including emerging Asian, African,  
Central American, Latino and Middle Eastern populations; and

1           WHEREAS, eliminating language, service and other barriers  
2           for all New Mexico residents will help end discriminatory  
3           practices toward New Mexicans who have limited proficiency in  
4           English, a goal that has not yet been achieved; and

5           WHEREAS, true and equitable access to systems such as  
6           health care, law enforcement and social service programs  
7           creates a healthier New Mexico community overall; and

8           WHEREAS, statewide implementation of limited English-  
9           proficiency plans will increase the appropriate use of  
10          interpreters and translators, thereby improving access toward  
11          equitable and quality services for all New Mexicans; and

12          WHEREAS, New Mexico has the opportunity to become a  
13          national leader in improving access to services for persons  
14          with limited proficiency in English; and

15          WHEREAS, New Mexico affirms its commitment to Title 6 of  
16          the Civil Rights Act of 1964, which protects people from  
17          discrimination based on race, color or national origin in  
18          programs or activities that receive federal financial  
19          assistance; and

20          WHEREAS, supporting new arrivals to New Mexico, who may  
21          have limited proficiency in English, and helping them integrate  
22          quickly and start using their education, skills and labor will  
23          benefit the state and local economies; and

24          WHEREAS, the president's Executive Order 13166 requires  
25          all federal agencies to develop plans to ensure that persons

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1 who have limited proficiency in English have meaningful access  
2 to federal programs and activities; and

3 WHEREAS, the points discussed in this memorial were also  
4 detailed in Senate Memorial 59, introduced and unanimously  
5 passed by the New Mexico senate in 2015, and in which the  
6 senate resolved that the governor be encouraged to issue an  
7 executive order requiring all state agencies to develop and  
8 implement policies and plans to ensure that New Mexico  
9 residents who have limited proficiency in English have full and  
10 meaningful access to state programs and activities;

11 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
12 STATE OF NEW MEXICO that the department of health be requested  
13 to partner with the human services department, the children,  
14 youth and families department, the aging and long-term services  
15 department, the department of public safety, the department of  
16 finance and administration and community-based organizations  
17 representing diverse racial and ethnic populations to form a  
18 task force to lead the effort of:

19 A. developing a limited-English-proficiency policy  
20 as a model for state agencies; and

21 B. enforcing the limited-English-proficiency  
22 policies of state agencies and documenting best practices for  
23 all state agencies to follow because of the crucial role  
24 language and culture play in health care, law enforcement and  
25 social service programs for all New Mexicans; and

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1 BE IT FURTHER RESOLVED that the task force make  
2 recommendations to the governor of a model policy and plan to  
3 be adopted by state agencies; and

4 BE IT FURTHER RESOLVED that upon approval of each state  
5 agency's policy and plan by the governor's office or other  
6 agency designated by the governor, those state agencies  
7 implement their policies and plans on the principles of  
8 nondiscrimination and inclusion embodied in Title 6 of the  
9 Civil Rights Act of 1964; and

10 BE IT FURTHER RESOLVED that each state agency allocate a  
11 reasonable percentage of its operational budget to ensure  
12 equitable and quality access to its programs and activities to  
13 New Mexicans who have limited proficiency in English, including  
14 the availability of interpretation and translation support; and

15 BE IT FURTHER RESOLVED that copies of this memorial be  
16 transmitted to the governor, the chairs of the legislative  
17 health and human services committee and the legislative finance  
18 committee and the secretaries of health; human services;  
19 children, youth and families; aging and long-term services;  
20 public safety; and finance and administration.