

**Senate Joint Memorial 6 (Sen. Ortiz y Pino)
(passed during the 2017 Legislative Session)**

**Summary of Findings from the
Taskforce to Address Issues Relating to the Direct Care Workforce**

Background

- ❖ Many seniors and persons with disabilities need help with activities of daily living such as bathing and dressing. Direct caregivers provide this assistance.
- ❖ An increasing number of direct care workers will be needed to provide long-term services and supports as the numbers of New Mexico seniors and people with disabilities continue to grow. Already, the state is experiencing a shortage of direct care workers and it can be challenging to find and retain qualified workers.
- ❖ Direct care workers earn wages that are inadequate to support themselves and their families. These low wages force talented and qualified workers to leave this workforce, leaving this quickly-growing industry chronically understaffed.
- ❖ Not having adequate qualified caregiver staff and frequent turnover can cause interruptions in care, reduced quality of care, poorer health outcomes and quality of life for service recipients, and place increased strain on family caregivers when direct care staff are unavailable.
- ❖ New Mexico should plan for the future to ensure that a qualified and adequate workforce is available to meet the needs of the state's residents over the longer term.

What SJM 6 did:

- ❖ The memorial directed New Mexico Direct Caregivers Coalition (NMDCC) to convene a taskforce to study direct care programs, including those funded by Medicaid, and recommend both short-term and long-term actions to ensure that the state complies with federal law, implements policies that best meet the needs of individuals receiving long-term supports and services, and promotes a stable and growing workforce to meet the needs of seniors and individuals with disabilities who need these services to live independently in their communities.
- ❖ The task force was to be broadly representative of ALL interested parties, including representatives of state agencies, direct care workers, home care agencies that employ caregivers, family caregivers, and organizations advocating for the interests of seniors and persons with disabilities.
- ❖ SJM 6 Task Force presented the Phase One Report to LHHS Committee in October 2017. This report focused on changes to the federal Fair Labor Standards Act as they apply to caregivers (requirements of minimum wage, overtime pay and pay for travel between care recipients).
- ❖ In 2018, the SJM 6 Task Force has hosted five "Listening to Caregivers" sessions in cities, towns and rural areas across New Mexico to hear directly from caregivers, consumers and other stakeholders on issues and challenges they are facing. All Listening Sessions comments received and SJM 6 Task Force recommendations will be presented to LHHS Committee October 2018.

Based on those listening sessions, the Task Force has identified two key 2019 legislative priorities.

Task Force’s legislative priorities for the 2019 legislative cycle:

1. Rate the reimbursement rate for direct care work funded by Medicaid, and ensure a guaranteed wage pass-through for direct care workers.
2. Fix gaps in the New Mexico worker protection laws to ensure that domestic workers – including direct care workers – have the same protections that almost all other New Mexico workers have.

The New Mexico Direct Caregivers Coalition asks that the LHHS Committee endorse these priorities.

Organizations that supported SJM 6 in 2017 include:

<i>AARP New Mexico</i>	<i>American Cancer Society/Cancer Action Network</i>
<i>The ARC of New Mexico</i>	<i>Caring Across Generations</i>
<i>El Centro de Igualdad y Derechos</i>	<i>Disability Rights New Mexico</i>
<i>Encuentro New Mexico</i>	<i>Family Friendly New Mexico</i>
<i>Interfaith Worker Justice</i>	<i>Molina Healthcare of New Mexico</i>
<i>National Assn of Social Workers – NM Chapter</i>	<i>NM Assn of Hospice and Home Care Agencies</i>
<i>NM Center on Law and Poverty</i>	<i>NM Community Health Workers Association</i>
<i>San Juan Center for Independence</i>	<i>Strong Families New Mexico</i>

For copies of the Phase One Report to the Legislative Health and Human Services Committee, please contact:

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NMDCC advocates for direct care workers’ education, training, benefits, wages and professional development so they may better serve people who are elderly and those with disabilities
