

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

Ron Godbey

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

A JOINT MEMORIAL

REQUESTING THE LEGISLATIVE FINANCE COMMITTEE TO CONDUCT A
FISCAL AND PERFORMANCE AUDIT OF CERTAIN CHILDREN, YOUTH AND
FAMILIES DEPARTMENT PROGRAMS AND THE HUMAN SERVICES
DEPARTMENT'S ROLE IN MONITORING EVALUATIONS, ASSESSMENTS AND
OUTCOMES OF THE TREATMENT FOSTER CARE PROGRAM.

WHEREAS, children, especially those harmed by adults,
purposefully or otherwise, are deserving of the very best and
most immediate response that public agencies can provide; and

WHEREAS, the interim legislative health and human
services committee has heard testimony indicating differences
of opinion as to what constitutes an appropriate response to
mandated reports of child abuse and neglect; and

WHEREAS, the longer children suffer without appropriate
and effective treatment, the less their chances of being
adopted or re-entering society with the tools necessary to

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1 create a successful and happy life; and

2 WHEREAS, foster parents, treatment foster care providers
3 and adoptive parents have been working diligently to provide
4 badly needed treatment services to children referred to their
5 care; and

6 WHEREAS, decisions by medicaid managed care
7 organizations, overseen by the human services department,
8 have sometimes disrupted the placement and integrity of
9 courses of treatment carefully established for these children
10 and has left treatment foster care homes and programs with
11 the unhappy choice of either dismissing the children before
12 their courses of treatment are complete or providing free
13 services; and

14 WHEREAS, the rates of reimbursement for these homes and
15 programs, including subsidized foster and adoptive homes, are
16 being reviewed by both the children, youth and families
17 department and the human services department; and

18 WHEREAS, the children, youth and families department's
19 new statewide centralized intake system and public response
20 line have notably increased the number of abuse and neglect
21 reports to the department;

22 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
23 STATE OF NEW MEXICO that the legislative finance committee
24 direct its staff to conduct a fiscal and performance audit of
25 the foster care programs of the children, youth and families
department and of the human services department's
participation and responsibilities in the treatment foster

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1 care program; and

2 BE IT FURTHER RESOLVED that the audit encompass any
3 placements used as alternatives to foster care when children
4 are removed from their homes by the children, youth and
5 families department; and

6 BE IT FURTHER RESOLVED that the audit carefully examine
7 procedures and criteria used in initial and subsequent
8 screening and evaluation of all children and families who
9 have been the subject of mandated reports of suspected abuse
10 and neglect; and

11 BE IT FURTHER RESOLVED that the role of the children,
12 youth and families department, in monitoring the
13 appropriateness of the evaluation and assessment of such
14 children conducted through managed care organizations, as
15 well as the responsibility of that department and the human
16 services department in monitoring the evaluation process and
17 the referrals, treatment and outcomes of those children, be
18 considered in the audit; and

19 BE IT FURTHER RESOLVED that the audit include detailed
20 examination of all cases of children in all residential
21 facilities and programs, including juvenile justice
22 facilities, crisis shelters, foster and treatment foster care
23 homes or facilities; and

24 BE IT FURTHER RESOLVED that the children, youth and
25 families department, the human services department, the
school of medicine at the university of New Mexico and other
state agencies cooperate as requested with the legislative

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1 finance committee in conducting its audit of these matters;
2 and

3 BE IT FURTHER RESOLVED that the legislative finance
4 committee report its findings to the legislative health and
5 human services committee in October 2000, together with any
6 recommendations for legislation; and

7 BE IT FURTHER RESOLVED that copies of this memorial be
8 sent to the legislative finance committee, the legislative
9 health and human services committee, the children, youth and
10 families department, the human services department and the
11 school of medicine at the university of New Mexico.

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