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SENATE BILL 295

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

David Ulibarri

AN ACT

RELATING TO HEALTH CARE; MANDATING THAT THE DEPARTMENT OF HEALTH ESTABLISH A HEALTH CARE PROVIDER DRUG AND ALCOHOL DEPENDENCY TASK FORCE FOR RESEARCH AND IDENTIFICATION OF PROTOCOLS TO ADDRESS PROVIDER DEPENDENCY AND CONCOMITANT RISKS; REQUIRING REPORTING TO THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE AND PUBLICATION OF THE TASK FORCE'S FINDINGS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. HEALTH CARE PROVIDER DRUG AND ALCOHOL DEPENDENCY TASK FORCE--ASSEMBLY BY SECRETARY OF HEALTH-- PRIORITIES--REPORTING.--

A. The department of health shall establish a health care provider drug and alcohol dependency task force to study the challenges that health care professionals face in

1 regard to their substance dependency and the resulting costs to
2 patients, colleagues and the health care system. In addition
3 to staff from the department of health, the task force shall be
4 made up of representatives from:

- 5 (1) the New Mexico medical board;
- 6 (2) the New Mexico medical society;
- 7 (3) independent health care practice
8 associations;
- 9 (4) the board of nursing;
- 10 (5) the national union of hospital and health
11 care employees;
- 12 (6) the personnel board; and
- 13 (7) specialists in identifying and treating
14 illicit and prescription drug and alcohol abuse and addiction.

15 B. The task force shall devise protocols to:

- 16 (1) protect patients from the consequences of
17 impaired functioning in health professionals who abuse illicit
18 and prescription drugs or alcohol on the job;
- 19 (2) identify illicit and prescription drug and
20 alcohol abuse and addiction; and
- 21 (3) offer treatment and drug and alcohol
22 testing to health care professionals identified as facing abuse
23 or addiction issues.

24 C. The task force shall identify any disciplinary
25 measures that professional licensing boards may take to address

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1 on-the-job illicit and prescription drug or alcohol abuse and
2 any regulatory requirements that professional licensing boards
3 may implement to ensure compliance with recommended protocols
4 for drug and alcohol testing.

5 D. The task force shall report its findings to the
6 interim legislative health and human services committee by
7 October 1, 2011. The department of health shall also publish
8 the task force's findings in a written report for general
9 distribution and on the department's web site.

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