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HOUSE MEMORIAL 12

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Terry T. Marquardt

A MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH AND THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO ACT AS LEAD AGENCIES IN DEVELOPING A PLAN FOR AN ABUSE, NEGLECT AND EXPLOITATION REGISTRY FOR STAFF WHO WORK IN COMMUNITY-BASED LONG-TERM SERVICES AND BEHAVIORAL HEALTH PROGRAMS AND IN DESIGNATED NON-ACUTE HEALTH CARE FACILITIES.

WHEREAS, numerous vulnerable New Mexicans receive health care services in community-based and facility settings; and

WHEREAS, the state is committed to assuring a safe environment from abuse, neglect and exploitation for these vulnerable persons; and

WHEREAS, the department of health has been successful in the administration of a "nurse aid registry" in the state's medicaid nursing facilities for staff with a history of

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1 substantiated abuse, neglect or exploitation; and

2 WHEREAS, the children, youth and families department has
3 been successful in the administration of a program of
4 investigations of allegations of abuse, neglect and
5 exploitation of adults; and

6 WHEREAS, it is in the best interest of the state to have
7 a broader system to prevent persons with a history of
8 substantiated abuse, neglect and exploitation from being
9 employed in adult community-based programs and health care
10 facilities;

11 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
12 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department
13 of health and the children, youth and families department
14 jointly, in cooperation with consumers of these health care
15 services, provider organizations, advocacy groups, other state
16 agencies and other interested parties, determine the
17 feasibility of, and cost associated with, the establishment of
18 an abuse, neglect and exploitation registry that would
19 identify persons with a history of substantiated abuse,
20 neglect and exploitation and would exclude such persons from
21 employment in community-based programs and health care
22 facilities; and

23 BE IT FURTHER RESOLVED that the department of health and
24 the children, youth and families department report their
25 findings and recommendations to the legislative health and

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1 human services committee by November 1, 2002 for consideration
2 by the forty-sixth legislature; and

3 BE IT FURTHER RESOLVED that a copy of this memorial be
4 sent to the legislative health and human services committee,
5 the secretary of health and the secretary of children, youth
6 and families.