SENATE JOINT MEMORIAL 44

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

INTRODUCED BY

Ramsay L. Gorham

A JOINT MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW DEATH CERTIFICATES AND DEATH RECORDS ORIGINATING FROM LONG-TERM-CARE FACILITIES TO DETERMINE IN WHAT PERCENTAGE OF DEATHS OCCURRING IN THOSE FACILITIES IS INADEQUATE CARE A CONTRIBUTING CAUSE OF DEATH.

WHEREAS, there was published recently a study by the federal general accounting office raising questions about the adequacy of care in long-term-care health facilities; and

WHEREAS, this study raised substantial questions about the existence of inadequate care, including abuse, neglect, dehydration, malnutrition and medication errors, as a contributing or proximate cause of death in a substantial number of cases; and

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WHEREAS, the state has a responsibility to its citizens to ensure that acceptable standards of adequacy of care exist for residents in licensed long-term-care facilities and that those standards are both enforceable and enforced for the protection of the health and well-being of residents of those facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the department of health design and conduct a study using available records in its files to determine the percentage of deaths occurring in licensed nursing homes and extended care facilities that involve or implicate inadequate care as a contributing cause of death; and

BE IT FURTHER RESOLVED that a report of the study and its conclusions be made to the second session of the forty-fifth legislature on or before January 15, 2002; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the governor, the secretary of health, the secretary of children, youth and families, the attorney general medicaid fraud control unit and the director of the state agency on aging.

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