

A JOINT MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW DEATHS
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 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

WHEREAS, the state has a responsibility to its citizens
to ensure that acceptable standards of adequacy of care
exist for residents in 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 in accordance with adequate resources
and using available records in its files to determine the
percentage of deaths occurring in long-term 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, the medicaid fraud control unit and the director of the state agency on aging. _____