

1 SENATE JOINT MEMORIAL 10

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A LANGUAGE
12 ACCESS TASK FORCE THAT INCLUDES REPRESENTATIVES FROM THE HUMAN
13 SERVICES DEPARTMENT, THE CHILDREN, YOUTH AND FAMILIES
14 DEPARTMENT, THE AGING AND LONG-TERM SERVICES DEPARTMENT, THE
15 DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF FINANCE AND
16 ADMINISTRATION AND COMMUNITY-BASED ORGANIZATIONS REPRESENTING
17 DIVERSE POPULATIONS TO ENSURE THAT ALL STATE AGENCIES ARE
18 IMPLEMENTING POLICIES AND PLANS TO PROVIDE FULL AND MEANINGFUL
19 ACCESS TO STATE PROGRAMS AND ACTIVITIES FOR NEW MEXICO
20 RESIDENTS WHO HAVE LIMITED PROFICIENCY IN ENGLISH.

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22 WHEREAS, New Mexico is one of five majority-minority
23 states with a rich and diverse population representing various
24 racial and ethnic groups, including emerging Asian, African,
25 Central American, Latino and Middle Eastern populations; and

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1 WHEREAS, eliminating language, service and other barriers
2 for all New Mexico residents will help end discriminatory
3 practices toward New Mexicans who have limited proficiency in
4 English, a goal that has not yet been achieved; and

5 WHEREAS, true and equitable access to systems such as
6 health care, law enforcement and social service programs
7 creates a healthier New Mexico community overall; and

8 WHEREAS, statewide implementation of limited English-
9 proficiency plans will increase the appropriate use of
10 interpreters and translators, thereby improving access toward
11 equitable and quality services for all New Mexicans; and

12 WHEREAS, New Mexico has the opportunity to become a
13 national leader in improving access to services for persons
14 with limited proficiency in English; and

15 WHEREAS, New Mexico affirms its commitment to Title 6 of
16 the Civil Rights Act of 1964, which protects people from
17 discrimination based on race, color or national origin in
18 programs or activities that receive federal financial
19 assistance; and

20 WHEREAS, supporting new arrivals to New Mexico, who may
21 have limited proficiency in English, and helping them integrate
22 quickly and start using their education, skills and labor will
23 benefit the state and local economies; and

24 WHEREAS, the president's Executive Order 13166 requires
25 all federal agencies to develop plans to ensure that persons

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1 who have limited proficiency in English have meaningful access
2 to federal programs and activities; and

3 WHEREAS, the points discussed in this memorial were also
4 detailed in Senate Memorial 59, introduced and unanimously
5 passed by the New Mexico senate in 2015, and in which the
6 senate resolved that the governor be encouraged to issue an
7 executive order requiring all state agencies to develop and
8 implement policies and plans to ensure that New Mexico
9 residents who have limited proficiency in English have full and
10 meaningful access to state programs and activities;

11 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
12 STATE OF NEW MEXICO that the department of health be requested
13 to partner with the human services department, the children,
14 youth and families department, the aging and long-term services
15 department, the department of public safety, the department of
16 finance and administration and community-based organizations
17 representing diverse racial and ethnic populations to form a
18 task force to lead the effort of:

19 A. developing a limited-English-proficiency policy
20 as a model for state agencies; and

21 B. enforcing the limited-English-proficiency
22 policies of state agencies and documenting best practices for
23 all state agencies to follow because of the crucial role
24 language and culture play in health care, law enforcement and
25 social service programs for all New Mexicans; and

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1 BE IT FURTHER RESOLVED that the task force make
2 recommendations to the governor of a model policy and plan to
3 be adopted by state agencies; and

4 BE IT FURTHER RESOLVED that upon approval of each state
5 agency's policy and plan by the governor's office or other
6 agency designated by the governor, those state agencies
7 implement their policies and plans on the principles of
8 nondiscrimination and inclusion embodied in Title 6 of the
9 Civil Rights Act of 1964; and

10 BE IT FURTHER RESOLVED that each state agency allocate a
11 reasonable percentage of its operational budget to ensure
12 equitable and quality access to its programs and activities to
13 New Mexicans who have limited proficiency in English, including
14 the availability of interpretation and translation support; and

15 BE IT FURTHER RESOLVED that copies of this memorial be
16 transmitted to the governor, the chairs of the legislative
17 health and human services committee and the legislative finance
18 committee and the secretaries of health; human services;
19 children, youth and families; aging and long-term services;
20 public safety; and finance and administration.