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HOUSE MEMORIAL 12

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Patricio Ruiloba

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CREATE AN OPIOID CRISIS SUBCOMMITTEE OF THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE TO STUDY THE OPIOID USE DISORDER CRISIS AND MAKE RECOMMENDATIONS FOR ADDRESSING THE OPIOID USE DISORDER CRISIS TO THE LEGISLATURE.

WHEREAS, the department of health reports that in 2015 New Mexico had the eighth-highest drug overdose death rate in the United States; and

WHEREAS, unintentional overdose deaths constitute eighty-five percent of all drug overdose deaths; and

WHEREAS, prescription opioids were responsible for forty-seven percent of the unintentional overdose deaths in 2015; and

WHEREAS, unintentional overdose from heroin, an illicit opioid that many with opioid use disorders use after moving

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1 from the more costly and less available prescription opioids,  
2 constituted thirty-seven percent of unintentional overdose  
3 deaths in 2015; and

4 WHEREAS, the department of health reports that opioid  
5 overdose-related emergency department visits have increased  
6 ninety-eight and four-tenths percent in the United States  
7 between 2004 and 2009; and

8 WHEREAS, in Rio Arriba county alone, opioid overdose-  
9 related emergency department visits were as high as one hundred  
10 eighty-two and two-tenths visits per one hundred thousand  
11 residents between the years 2011 and 2015; and

12 WHEREAS, the effects of the opioid use disorder crisis are  
13 far reaching, placing enormous burdens on individuals and their  
14 families as well as health care providers, social services  
15 agencies and state and local governments; and

16 WHEREAS, among the most vulnerable victims of the opioid  
17 use disorder crisis are children born to parents who are  
18 struggling with opioid dependence; and

19 WHEREAS, due to the incapacity of many opioid-dependent  
20 parents, grandparents and other relatives of the children of  
21 opioid-dependent parents, as well as the foster care system,  
22 child protective services, law enforcement and the courts, are  
23 overwhelmed with the burden of intervening and providing  
24 alternative placements for children of opioid-dependent  
25 parents; and

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1           WHEREAS, the New Mexico legislature and state agencies  
2 have implemented some policies and programs to address the  
3 opioid use disorder crisis, including:

4           A. instituting a prescription drug monitoring  
5 program, as well as a requirement that certain prescribers  
6 consult the prescription drug monitoring program to ensure that  
7 patients are not likely to abuse prescription opioids;

8           B. passing legislation and providing funding to  
9 make Narcan, an opioid reversal agent, more available to  
10 service providers and the general public, resulting in the  
11 rescue of many lives that would otherwise have succumbed to  
12 unintentional opioid overdose; and

13           C. creating community response teams and law  
14 enforcement diversion programs to assist individuals who are  
15 using opioids in getting help and avoiding greater involvement  
16 in the criminal justice system; and

17           WHEREAS, despite the many efforts already undertaken, the  
18 legislature continues to receive extensive testimony from  
19 residents and health and social service providers that New  
20 Mexico suffers from an insufficiency of health care services,  
21 social services, law enforcement and other vital resources to  
22 meet the demand arising from the opioid use disorder crisis;  
23 and

24           WHEREAS, a number of experts in behavioral health,  
25 medicine, education and government were convened by the

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1 legislative health and human services committee at a November  
2 2, 2017 opioid crisis summit in Santa Fe; and

3 WHEREAS, attendees at the opioid crisis summit issued a  
4 number of recommendations for addressing the opioid use  
5 disorder crisis, including:

6 A. funding more robust opioid dependence prevention  
7 programming and policies, including enhanced protective  
8 factors; trauma recovery and resilience; providing overdose  
9 prevention and response education; and increasing access to  
10 behavioral health services;

11 B. enhancing prescriber education and  
12 accountability;

13 C. strengthening legal provisions such as: tort  
14 immunity provisions for those who seek or assist in obtaining  
15 medical assistance in cases of opioid use disorder; the  
16 limiting of prescription of short-acting opioids; the  
17 decriminalizing of substance use disorders through pre-arrest  
18 diversion; and the decriminalizing of personal use of drugs;

19 D. investing in the behavioral health workforce to  
20 meet the demands that the opioid use disorder crisis presents;

21 E. funding and enacting policies to support the use  
22 of medication-assisted treatment that substantial medical  
23 evidence identifies as the most effective treatment for opioid  
24 use disorders;

25 F. providing wraparound supports for people with

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1 opioid use disorders and their families;

2 G. providing funding to first responders so that  
3 they may adequately meet the needs of people with opioid use  
4 disorders;

5 H. addressing the needs of incarcerated individuals  
6 and newly released individuals for services to address opioid  
7 use disorders and prevent opioid use disorder-related  
8 recidivism;

9 I. holding the state medicaid program and medicaid  
10 managed care organizations accountable for implementing best  
11 practices for addressing opioid use disorders; and

12 J. promoting collaboration among all sectors to  
13 coordinate the state's response to opioid use disorders; and

14 WHEREAS, currently, there is no single entity that bears  
15 the responsibility for leading and coordinating the state's  
16 response to the opioid use disorder crisis that is claiming  
17 many thousands of lives and imposing an intolerable burden on  
18 New Mexico institutions;

19 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
20 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico  
21 legislative council be requested to create an "opioid crisis  
22 subcommittee" of the legislative health and human services  
23 committee to meet monthly during the 2018 interim to study the  
24 opioid use disorder crisis and make recommendations for  
25 addressing the opioid use disorder crisis to the legislature by

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1 December 1, 2018; and

2 BE IT FURTHER RESOLVED that the New Mexico legislative  
3 council be requested to charge the chair of the legislative  
4 health and human services committee with convening and chairing  
5 the opioid crisis subcommittee and with appointing to the  
6 subcommittee:

7 A. at least one other member of the house of  
8 representatives, who is a member of the minority party;

9 B. at least two senators, one each from the  
10 majority party and the minority party; and

11 C. a member of the legislative finance committee  
12 staff; and

13 BE IT FURTHER RESOLVED that the New Mexico legislative  
14 council be requested to invite others to join the subcommittee  
15 as follows:

16 A. the secretary of children, youth and families or  
17 the secretary's designee;

18 B. the secretary of public safety or the  
19 secretary's designee;

20 C. the secretary of corrections or the secretary's  
21 designee;

22 D. the secretary of health or the secretary's  
23 designee;

24 E. the secretary of human services or the  
25 secretary's designee;

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- 1 F. an active, certified police officer with an  
2 active assignment in the field of narcotics response;  
3 G. an agent of the United States drug enforcement  
4 agency;  
5 H. a representative of the office of the attorney  
6 general;  
7 I. a representative of the board of pharmacy;  
8 J. a member of the New Mexico medical board;  
9 K. a member of the board of osteopathic medicine;  
10 L. a physician;  
11 M. a pharmacist; and  
12 N. a representative of the opioid use disorder  
13 treatment provider community; and

14 BE IT FURTHER RESOLVED that copies of this memorial be  
15 transmitted to the governor; the co-chairs of the New Mexico  
16 legislative council; the chair and vice chair of the  
17 legislative health and human services committee; the attorney  
18 general; the director of the legislative finance committee; the  
19 secretary of children, youth and families; the secretary of  
20 public safety; the secretary of corrections; the secretary of  
21 health; the secretary of human services; the executive director  
22 of the board of pharmacy; the executive director of the New  
23 Mexico medical board; and the executive director of the board  
24 of osteopathic medicine.