

A JOINT MEMORIAL

REQUESTING THE INTERAGENCY COMMITTEE ON LONG-TERM CARE TO INCREASE ITS MEMBERSHIP TO INCLUDE REPRESENTATION FROM AFFECTED POPULATIONS.

WHEREAS, the interagency committee on long-term care has been discussing long-term care issues in New Mexico for approximately six years; and

WHEREAS, long-term care issues affect many populations, including the aged, the disabled, the chronically ill, the mentally ill and others; and

WHEREAS, several departments of state government that are not now represented on this committee are involved in providing services to these populations; and

WHEREAS, no consumers or providers of services are represented on the interagency committee on long-term care; and

WHEREAS, a plan to integrate chronic and long-term care services into a coordinated continuum would improve service delivery to affected populations and allow individuals to choose to receive services in the most appropriate setting; and

WHEREAS, the 1999 United States supreme court decision commonly known as the *Olmstead* decision interprets Title 2 of the Americans with Disabilities Act of 1990 to require states

to demonstrate that a comprehensive, effectively working plan is in place for providing services to qualified individuals with disabilities in the least restrictive setting possible; and

WHEREAS, such a plan must include attention to transportation and housing in order to create the reality of independent living for many individuals with long-term disabilities; and

WHEREAS, such a plan cannot be effectively developed or implemented without input from the individuals served by the plan and all providers of services to these individuals;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the interagency committee on long-term care be requested to consider increasing its membership to include representation from the community of low-income disabled consumers and various disabilities advocacy organizations as well as the New Mexico mortgage finance authority, the state highway and transportation department and the department of finance and administration; and

BE IT FURTHER RESOLVED that this committee's purpose be expanded to address compliance with the *Olmstead* decision; and

BE IT FURTHER RESOLVED that this group report its progress on this request, together with any legislative

recommendations, to the interim legislative health and human services committee at its October 2002 meeting; and

BE IT FURTHER RESOLVED that copies of this memorial be sent to the interagency committee on long-term care, the New Mexico mortgage finance authority, the department of finance and administration, the various appropriate consumer and advocacy organizations and the interim legislative health and human services committee.