

HOUSE JOINT MEMORIAL 41

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

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A JOINT MEMORIAL

DECLARING MARCH 1, 2013 TO BE "HEALTH CARE ADVANCE DIRECTIVE DAY" AT THE NEW MEXICO LEGISLATURE.

WHEREAS, developments in health care technology make possible many alternatives for treating medical conditions and make possible the unnatural prolongation of life; and

WHEREAS, an adult should be spared unwanted health care procedures; and

WHEREAS, a competent adult should have the clear legal choice to accept or reject health care, even if rejecting health care will result in death sooner than death would be expected to occur through the provision of the rejected health care; and

WHEREAS, a competent adult should be permitted to die with a maximum of dignity and functional capacity and a minimum of

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1 pain; and

2 WHEREAS, advance care planning is the practice of making
3 explicit written instructions to caregivers, family and friends
4 on measures for delivering health care and for preserving that
5 adult's dignity in the event that the adult is unable, because
6 of incapacity, to make those instructions known when needed at
7 a later time; and

8 WHEREAS, advance care planning includes the use of advance
9 health care directives, health care powers of attorney and
10 medical orders for life-sustaining treatment that can be
11 administered effectively within the health care system; and

12 WHEREAS, advance care planning provides support for
13 patients and their families making difficult life decisions;
14 and

15 WHEREAS, advance care planning ensures that the patient's
16 informed end-of-life health care choices are known, documented
17 and respected; and

18 WHEREAS, advance care planning provides competent adults
19 with a legal tool to designate a health care agent and express
20 preferences about health care options to go into effect only
21 after the adult loses the ability to make or communicate health
22 care decisions, including deeply personal decisions about
23 end-of-life care; and

24 WHEREAS, compassion and choices volunteer action teams are
25 forming in Albuquerque, Las Cruces, Los Alamos, Santa Fe,

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1 Silver City, Taos and other communities to protect and expand
2 end-of-life choices and individual freedoms for New Mexicans;

3 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
4 STATE OF NEW MEXICO that the right of each adult to expect
5 dignity and privacy be recognized; and

6 BE IT FURTHER RESOLVED that the right of an adult to
7 refuse to be treated without the adult's consent be protected;
8 and

9 BE IT FURTHER RESOLVED that the right of competent adults
10 to make fully informed health care decisions expressed
11 contemporaneously or through advance health care directives be
12 recognized; and

13 BE IT FURTHER RESOLVED that March 1, 2013 be declared
14 "Health Care Advance Directive Day" at the New Mexico
15 legislature.

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