

1 SENATE JOINT MEMORIAL 35

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT STATEWIDE  
12 TRAINING IN DEVELOPMENTAL DISABILITIES SERVICE STANDARDS FOR  
13 HEALTH CARE PROVIDERS AND FIRST RESPONDERS.

14  
15 WHEREAS, when individuals with developmental disabilities  
16 encounter health care providers and first responders such as  
17 firefighters, police, emergency medical technicians,  
18 dispatchers, physicians, dentists, nurses, physician  
19 assistants, dental hygienists, medical imaging professionals,  
20 nurse's aides and other allied health professionals, laboratory  
21 technicians and hospital staff, the experience can be traumatic  
22 for the individuals with developmental disabilities; and

23 WHEREAS, when an individual with a developmental  
24 disability is taken to an emergency room, the individual may be  
25 left to wait for hours, and given the nature of the

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1 individual's disability, the long wait can cause the individual  
2 to react with fear and act out by screaming or abusing himself  
3 or herself; and

4 WHEREAS, when an individual with a developmental  
5 disability reacts with fear and acts out in a health care  
6 setting, health care providers often respond with anger, and  
7 they either refuse service altogether or they make the  
8 individual with a developmental disability wait longer than  
9 individuals without a developmental disability have to wait;  
10 and

11 WHEREAS, individuals with developmental disabilities are  
12 often unable to obtain laboratory blood work, x-rays and other  
13 health care services they need because of some health care  
14 providers' ignorance, hostility or neglect of these  
15 individuals' needs; and

16 WHEREAS, due to the negative reactions of some hospital  
17 staff to individuals with developmental disabilities,  
18 individuals with developmental disabilities have been released  
19 from hospitals too early after procedures in circumstances that  
20 would normally entail several days' recovery at the hospital;  
21 and

22 WHEREAS, due to the nature of their disability, some  
23 individuals with developmental disabilities only report  
24 symptoms when they are extremely serious because these  
25 individuals have extremely high pain tolerance; and

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1           WHEREAS, regardless of the seriousness of the conditions  
2 with which an individual with a developmental disability may  
3 present in a health care setting, some health care providers  
4 and first responders might refuse service or fail to work to  
5 understand the nature of the individual's condition due to the  
6 individual's manner of communicating; and

7           WHEREAS, sometimes in the process, when communication  
8 fails or an individual with a developmental disability acts out  
9 in a health care or emergency setting, the individual is  
10 injured when health care or first responder personnel attempt  
11 to physically subdue the individual with a developmental  
12 disability; and

13           WHEREAS, individuals with developmental disabilities often  
14 find themselves in increased danger in emergency situations  
15 when lights, sirens and strangers confront them all at once,  
16 causing the individuals with disabilities to react fearfully  
17 and flee into danger or to react defensively; and

18           WHEREAS, often when an individual with a developmental  
19 disability is in an emergency situation and a caregiver  
20 attempts to intervene on the individual's behalf, first  
21 responders tell the caregiver not to "interfere", and this  
22 causes increased fear and anxiety for the individual with a  
23 developmental disability; and

24           WHEREAS, many times, when an individual with a  
25 developmental disability has reacted fearfully or angrily in a

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1 stressful emergency situation, police have used a taser on the  
2 individual or otherwise have used inappropriate methods to  
3 subdue the individual with a developmental disability;

4 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
5 STATE OF NEW MEXICO that the department of health be requested  
6 to develop a program for training firefighters, police,  
7 emergency medical technicians, doctors, nurses, laboratory  
8 technicians and other health care and emergency response  
9 personnel on standards for safely interacting with individuals  
10 with developmental disabilities; and

11 BE IT FURTHER RESOLVED that, at a minimum, the training  
12 that the department of health is requested to offer include a  
13 curriculum that covers the following areas:

- 14 A. developmental disability advocacy;
- 15 B. foundations in health and wellness for  
16 individuals with developmental disabilities;
- 17 C. participatory communication and decision-making  
18 related to individuals with developmental disabilities;
- 19 D. protective behaviors support strategies;
- 20 E. sexuality for individuals with developmental  
21 disabilities;
- 22 F. effective teamwork; and
- 23 G. any other curriculum that the department of  
24 health deems effective after consultation with the community of  
25 individuals with developmental disabilities and the families

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1 and caregivers of those individuals; and

2 BE IT FURTHER RESOLVED that the following agencies be  
3 respectfully urged to require their personnel to receive  
4 training using the curriculum that the department of health  
5 develops pursuant to this memorial:

6 A. the department of health, including all of its  
7 divisions related to developmental disabilities, health care  
8 delivery, emergency services, public health, behavioral health  
9 and health facilities licensure;

10 B. the regulation and licensing department,  
11 including its constituent professional boards relating to  
12 health and human service occupations;

13 C. the department of public safety;

14 D. the homeland security and emergency management  
15 department;

16 E. state, federal, city, county and rural law  
17 enforcement agencies;

18 F. state, federal, city and county emergency  
19 response agencies; and

20 G. state, federal, city and county firefighters;  
21 and

22 BE IT FURTHER RESOLVED that copies of this memorial be  
23 transmitted to the governor, the secretary of health, the  
24 superintendent of regulation and licensing, the secretary of  
25 public safety and the secretary of homeland security and

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emergency management.

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