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SENATE MEMORIAL 20

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

INTRODUCED BY

William Soules

A MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A SUBCOMMITTEE TO CONDUCT A STUDY AND REPORT ON WAYS TO REDUCE THE TIME THAT ELIGIBLE INDIVIDUALS WAIT FOR DEVELOPMENTAL DISABILITY SERVICES.

WHEREAS, people with developmental disabilities are among New Mexico's most vulnerable residents; and

WHEREAS, people with developmental disabilities and their families benefit greatly from the accommodations and services that enable them to live safely and productively in communities across the state; and

WHEREAS, without that support, those with developmental disabilities would be less able to live independently and their families would be less able to care for them; and

WHEREAS, young adults with developmental disabilities who

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1 have recently left the public school system are in particular  
2 need of timely access to services; and

3 WHEREAS, those services, such as employment support,  
4 promote independence and inclusion in community life, help to  
5 preserve essential skills and reduce the hardship on  
6 caregivers, who, without the services, might have to leave  
7 their jobs; and

8 WHEREAS, the developmental disabilities supports division  
9 of the department of health operates programs for those with  
10 developmental disabilities; and

11 WHEREAS, the developmental disabilities supports division,  
12 through the developmental disabilities waiver program, is  
13 funded to serve only about four thousand one hundred  
14 individuals each year; and

15 WHEREAS, as of December 31, 2012, approximately six  
16 thousand individuals are waiting for services offered through  
17 those programs; and

18 WHEREAS, the average time between placement on the central  
19 registry and the receipt of services is eleven years; and

20 WHEREAS, there is a great difference in time between  
21 placement and services based on where a person lives; and

22 WHEREAS, the department of health has begun to reform its  
23 programs to improve the timeliness of access to critical  
24 services; and

25 WHEREAS, the need for developmental disabilities services

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1 calls for more funding and greater capacity to reduce the wait  
2 of individuals for services; and

3 WHEREAS, having additional persons served by the waiver  
4 program will create jobs throughout the state, which would  
5 benefit New Mexico's economy;

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
7 OF NEW MEXICO that the department of health be requested to  
8 convene a subcommittee of the advisory council on quality  
9 supports for individuals with developmental disabilities and  
10 their families; and

11 BE IT FURTHER RESOLVED that the subcommittee be composed  
12 of, among others, individuals with developmental disabilities,  
13 family members and guardians of individuals with developmental  
14 disabilities, representatives of the developmental disabilities  
15 supports division and representatives of the medical assistance  
16 division of the human services department; and

17 BE IT FURTHER RESOLVED that the subcommittee also include  
18 members of the advisory council who represent service providers  
19 and case managers and representatives of disability rights New  
20 Mexico, the ARC of New Mexico, parents reaching out, the center  
21 for development and disability and the developmental  
22 disabilities planning council; and

23 BE IT FURTHER RESOLVED that the subcommittee study and  
24 identify strategies to reduce the time between placement on the  
25 central registry and access to services offered by the

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1 developmental disabilities supports division to not more than  
2 three years and reexamine the statewide allocation formula to  
3 ensure that regional allocations are made equitably and  
4 consistent with the decision in *Lewis v. New Mexico Department*  
5 *of Health* (2001); and

6 BE IT FURTHER RESOLVED that the developmental disabilities  
7 supports division provide subject-matter experts to work with  
8 the subcommittee; and

9 BE IT FURTHER RESOLVED that the subcommittee make formal  
10 recommendations to the full advisory council; and

11 BE IT FURTHER RESOLVED that the developmental disabilities  
12 supports division, within its authority and consistent with  
13 funding appropriated by the legislature for this purpose, act  
14 on the advisory council's recommendations and prepare a report  
15 detailing what would be needed to accomplish by fiscal year  
16 2018 the goal of reducing the wait time of any person needing  
17 services to a maximum of three years; and

18 BE IT FURTHER RESOLVED that the report address the  
19 effective use of current programs and resources, describe  
20 critical components for success, identify potential obstacles,  
21 detail the action needed to address each critical component and  
22 potential obstacle and include projections of additional  
23 resources needed to reach the goal; and

24 BE IT FURTHER RESOLVED that the developmental disabilities  
25 supports division provide the report to the secretary of

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1 health, the secretary of human services, the legislative health  
2 and human services committee and the legislative finance  
3 committee by October 1, 2013; and

4 BE IT FURTHER RESOLVED that copies of this memorial be  
5 transmitted to the developmental disabilities supports division  
6 of the department of health; the secretary of health; the  
7 secretary of human services; and the advisory council on  
8 quality supports for individuals with developmental  
9 disabilities and their families, for appropriate distribution  
10 to interested persons.