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HOUSE MEMORIAL 77

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Antonio "Moe" Maestas

A MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A PRESCRIPTION DRUG ABUSE AND OVERDOSE TASK FORCE AND PROVIDE RECOMMENDATIONS FOR RULES AND ENFORCEMENT PROTOCOLS TO ADDRESS THE INCREASING RATE OF ADDICTION TO AND DEATHS DUE TO ACCIDENTAL OVERDOSE OF PRESCRIPTION DRUGS.

WHEREAS, the federal substance abuse and mental health services administration reports that rates of overdose deaths involving prescription drugs have increased rapidly in recent years; and

WHEREAS, prescription drugs can be just as harmful as illegal drugs if they are abused; and

WHEREAS, the federal substance abuse and mental health services administration conducted a recent review of emergency room visits for nonmedical use of opioid analgesics and found

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1 that the number of visits for their nonmedical use increased  
2 one hundred eleven percent between 2004 and 2008; and

3 WHEREAS, according to the office of the state medical  
4 investigator, the unintentional prescription drug overdose  
5 death rate in New Mexico increased nearly fifty percent between  
6 2005 and 2009, from seven and three-tenths per one hundred  
7 thousand population in 2005 to ten and nine-tenths per one  
8 hundred thousand population in 2009; and

9 WHEREAS, the office of the state medical investigator  
10 reports that the rate of unintentional overdose death from  
11 tranquilizers and muscle relaxants, also known as  
12 benzodiazepines, increased in New Mexico ninety-seven percent  
13 between 2005 and 2009; and

14 WHEREAS, the federal substance abuse and mental health  
15 services administration's 2006-2008 national survey on drug use  
16 and health estimated that fifteen thousand, or nine percent, of  
17 twelve- to-seventeen-year-olds in New Mexico reported  
18 nonmedical use of prescription pain relievers during the past  
19 year; and

20 WHEREAS, the federal substance abuse and mental health  
21 services administration's 2006-2008 national survey on drug use  
22 and health estimated that ninety-seven thousand, or six and  
23 one-tenth percent, of New Mexicans age twelve or older reported  
24 nonmedical use of prescription pain relievers in the past year  
25 and that roughly one-fourth met diagnostic criteria for abuse

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1 or dependence of prescription pain relievers; and

2 WHEREAS, the federal office of national drug control  
3 policy reports that teenagers are increasingly turning away  
4 from street drugs and using prescription drugs to get high,  
5 with the numbers of those abusing prescription drugs close to  
6 those using marijuana; and

7 WHEREAS, the office of national drug control policy  
8 reports that the majority of teens get prescription drugs  
9 easily and for free, often from friends or relatives; and

10 WHEREAS, the federal office of national drug control  
11 policy reports that adolescents are more likely than young  
12 adults to become dependent on prescription medication; and

13 WHEREAS, parents need to be aware of which prescription  
14 drugs are popularly abused among teenagers; and

15 WHEREAS, in addition to parent education, the federal  
16 substance abuse and mental health services administration  
17 recommends more systematic provider education, that more  
18 providers use prescription drug monitoring programs, that there  
19 be routine monitoring of insurance claim information for signs  
20 of inappropriate use and that providers intervene when patients  
21 use drugs inappropriately; and

22 WHEREAS, the New Mexico medical board reports that  
23 addiction is a chronic disease needing treatment; and

24 WHEREAS, addicted individuals need access to high-quality  
25 treatment; and

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1           WHEREAS, the New Mexico medical board recommends that New  
2 Mexicans be educated about the high risk for overdose; and

3           WHEREAS, pharmaceutical manufacturers that specialize in  
4 the production of pain management drugs are working with health  
5 care professionals, law enforcement and local communities  
6 across the country to help curb diversion and abuse of  
7 medications, while ensuring they remain available for  
8 appropriate medical use; and

9           WHEREAS, pharmaceutical manufacturers that specialize in  
10 the production of pain management drugs have developed an array  
11 of programs focused on education, prevention and deterrence;  
12 and

13           WHEREAS, to combat the abuse of prescription drugs, the  
14 New Mexico board of pharmacy has established and operates a  
15 prescription drug monitoring program; and

16           WHEREAS, prescribers, pharmacists and other authorized  
17 monitoring program users may request data from the state's  
18 prescription drug monitoring program via a secure web page that  
19 provides information about the type of controlled substance  
20 prescriptions filled for patients; and

21           WHEREAS, a recent study by the board of pharmacy's  
22 prescription drug monitoring program showed that forty-four  
23 percent of New Mexicans age ten or older filled at least one  
24 prescription for a controlled substance, schedules II to IV,  
25 during a twenty-seven-month period in 2006-2008; and

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1           WHEREAS, despite the prevalence of prescription drug abuse  
2 among patients, there are many patients who desperately need  
3 prescription drugs, including opioids, for pain management,  
4 anxiety and other conditions; and

5           WHEREAS, the vast majority of patients who use  
6 prescription drugs that are abused by some individuals do not  
7 in fact abuse these drugs and use them solely for their  
8 medically indicated applications; and

9           WHEREAS, using prescription drugs for pain, anxiety and  
10 other indicated medical applications should not be stigmatized  
11 or assumed to constitute abuse;

12           NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
13 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department  
14 of health be requested to convene a task force to study the  
15 issues relating to the increasing rate of addiction and deaths  
16 due to accidental overdose of prescription drugs in the state;  
17 and

18           BE IT FURTHER RESOLVED that the department of health  
19 convene the task force with representatives from the New Mexico  
20 medical board; the children, youth and families department; the  
21 board of pharmacy; the board of nursing; the office of the  
22 state medical investigator; the university of New Mexico health  
23 sciences center; the drug enforcement administration of the  
24 United States department of justice; and trusted experts in  
25 law, health specialty practice, primary care, nursing,

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1 dentistry and other areas that the department of health  
2 identifies; and

3 BE IT FURTHER RESOLVED that the task force be requested to  
4 review the programs created and rules promulgated by the task  
5 force's constituent state agencies intending to address the  
6 rate of addiction and deaths due to accidental overdose of  
7 prescription drugs and make recommendations for effective  
8 interventions by those agencies to address prescription drug  
9 abuse and accidental deaths due to their abuse; and

10 BE IT FURTHER RESOLVED that the task force report its  
11 findings and any legislative recommendations to the legislative  
12 health and human services committee by November 1, 2011; and

13 BE IT FURTHER RESOLVED that copies of this memorial be  
14 transmitted to the secretary of health, the executive director  
15 of the New Mexico medical board, the executive director of the  
16 board of nursing, the executive director of the board of  
17 pharmacy, the state medical investigator, the executive vice  
18 president of the university of New Mexico health sciences  
19 center and the administrator of the drug enforcement  
20 administration of the United States department of justice.