

May 19, 2021

**RESOLUTION TO OPT OUT OF THE  
ELIZABETH WHITEFIELD END-OF-LIFE OPTIONS ACT 2021-4**

**WHEREAS**, the State of New Mexico Legislature having passed the Elizabeth Whitefield End-of-Life Options Act (“the Act”) on March 16, 2021, and Governor Lujan Grisham having signed the Act on April 8, 2021, to allow health care providers and health care entities to provide a prescription for medical aid in dying.

**WHEREAS**, the Act goes into effect on June 18, 2021.

**WHEREAS**, pursuant to the Act Nor-Lea Hospital District will not prescribe patient’s medication to assist in the medical aid in dying. H.B. 47, 55th Leg., 1st Sess. (N.M. 2021), available at <https://www.nmlegis.gov/Sessions/21%20Regular/final/HB0047.pdf>. NLHD will not admit “qualified patients” solely for the purpose of “the medical aid in dying”. The definition of “medical aid in dying”: the medical practice wherein a physician/ provider prescribes medication to a qualified patient who may self-administer that medication to bring about a peaceful death.

**WHEREAS**, pursuant to the Act Nor-Lea Hospital District physician/providers are prohibited from prescribing a medication or a combination of medications used primarily for the medical aid in dying. (1) while on the Nor-Lea Hospital District premises or (2) while acting within the normal course and scope of his or her employment with Nor-Lea Hospital District. *Id.*

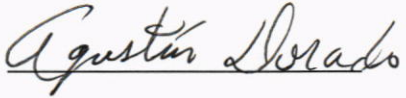
**WHEREAS**, pursuant to the Act health care providers who prescribe medication for the medical aid in dying (1) while on the Nor-Lea Hospital District premises or (2) while acting within the normal course and scope of his or her employment with Nor-Lea Hospital District may be subject to sanctions by Nor-Lea Hospital District. *Id.*

**WHEREAS**, pursuant to the Act health care providers may prescribe medication for the medical aid in dying if the health care provider is (1) not on the Nor-Lea Hospital District premises or (2) if the health care provider is not acting within the normal course and scope of his or her employment with Nor-Lea Hospital District. *Id.*


**NOW, THEREFORE, BE IT RESOLVED** that:

1. Nor-Lea Hospital District is opting out of the Elizabeth Whitefield End-of-Life Options Act and will not provide patients a prescription for the medical aid in dying.
2. Nor-Lea Hospital District health care providers are prohibited from prescribing medication for the medical aid in dying unless the provider is (1) not on the Nor-Lea Hospital District premises or (2) the health care provider is not acting within in the normal course and scope of his or her employment. *Id.*
3. Nor-Lea Hospital District’s decision to opt out of the Elizabeth Whitefield End-of-Life Options Act will have no effect on Nor-Lea Hospital District’s palliative/comfort care as needed for all patients.

Passed by the Nor-Lea Hospital District on this 19<sup>th</sup>, day of May, 2021.



Chairman



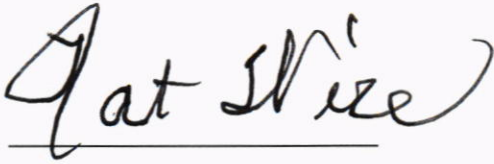
Secretary



Member



Member



Member