

44 Holland Avenue
Albany, New York 12229

February 8, 2006

Michelle Lujan Grisham, J.D.
Secretary, Department of Health
State of New Mexico
Harold Runnels Bldg
1190 St. Francis Dr.
Santa Fe, NM 87504

By Fax: (505) 827-2530

RE: Implementing Kendra's Law in New Mexico

Dear Secretary Grisham:

I understand that you and Governor Richardson are working to establish a version of assisted outpatient treatment (AOT, a.k.a. "Kendra's Law") in New Mexico, similar to the New York State statute proposed and signed into law by Governor Pataki in 1999.

Kendra's Law has proven extremely successful in New York State, so it is unclear why reports of our program's purported failure have entered the debate in your state. Our evaluation of AOT has clearly shown that Kendra's Law is working, and is working well.

To evaluate the program, New York has collected extensive and targeted data on a spectrum of measures and from a variety of sources. We know conclusively that the program has been invaluable for individuals who, without Kendra's Law, previously had limited success in using voluntary mental health services.

Individuals receiving services under Kendra's Law are able to make and maintain real gains in their recovery, and show significantly increased participation in case management, substance abuse, and other treatment services. During participation in the AOT program, rates for hospitalizations, homelessness, arrests and incarcerations have declined dramatically, as have those for harmful behaviors.

Perhaps most encouraging are the reports from people in the program, which were collected and assessed via an independent survey. Three out of every four reported that Kendra's Law had helped them regain control of their lives; four out of five said that it helped them to get and stay well.

Our experience with Kendra's Law has resulted in fundamental changes to New York's system of care for those incapacitated by the symptoms of severe psychiatric illness, including those who do not meet the program's eligibility criteria. Under Governor Pataki's leadership, we are seeing improved access to mental health services, improved coordination of service planning, enhanced accountability, and improved collaboration between the mental health and court systems.

Given that the success of Kendra's Law in New York has been undeniable and well-documented by statewide data, renewal of the law was strongly backed by Governor Pataki and had virtually no opposition from our state's legislators. Discussion of the program in the last legislative session focused not on whether to maintain Kendra's Law, but on quality improvement issues. After reviewing the data, even those who had opposed the adoption of Kendra's Law in 1999 urged a time-limited renewal of the program. When the law was extended last year, several changes were made to further strengthen the program.

In addition, I have established a quality panel of experts and stakeholders which met for the first time this past January. This panel will fine-tune an already proven and effective treatment program, and their efforts will go far to expand the benefits of Kendra's Law in areas of our state that have not yet fully utilized the program.

I would be pleased to pass on the lessons of our experience with Kendra's Law to help your office further the adoption and implementation of assisted outpatient treatment in New Mexico.

Sincerely,

A handwritten signature in black ink that reads "Sharon E. Carpinello". The signature is written in a cursive, flowing style.

Sharon E. Carpinello, R.N., Ph.D.
Commissioner
New York State Office of Mental Health