

The Legislature
of the
State of New Mexico

50th Legislature, 2nd Session

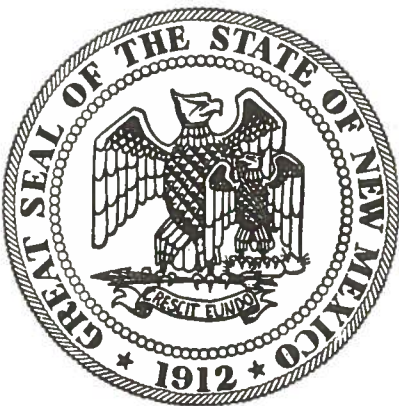
LAWS 2012

CHAPTER _____

HOUSE MEMORIAL 24

Introduced by

REPRESENTATIVE TERRY H. McMILLAN



1 A MEMORIAL

2 REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE
3 LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE TO HEAR
4 TESTIMONY AND MAKE RECOMMENDATIONS FOR POLICIES AND PROCEDURES
5 TO ENSURE A SAFE, EFFECTIVE AND EFFICIENT HOSPITAL
6 CREDENTIALING PROCESS FOR PHYSICIANS.

7
8 WHEREAS, an essential part of ensuring safe patient care
9 in any hospital is the credentialing of physicians to practice
10 in that hospital in a specific, appropriate type of practice;
11 and

12 WHEREAS, while varying from facility to facility, the
13 hospital credentialing process involves the careful
14 observation of guidelines such as those published by the joint
15 commission and the federal centers for medicare and medicaid
16 services; and

17 WHEREAS, most hospitals perform extensive background
18 checks before credentialing or re-credentialing a physician;
19 and

20 WHEREAS, the credentialing process often involves
21 consulting the national practitioner database, as well as
22 checking peer references and work, education and criminal
23 history, malpractice claims history and medicare and medicaid
24 fraud databases and other facilities' records; and

25 WHEREAS, a hospital must carefully consider all elements

1 in its credentialing process, as an unduly cumbersome or
2 lengthy credentialing process will result in inefficiency
3 without augmenting patient safety, a result that is neither in
4 the hospital's nor the physician's best interests; and

5 WHEREAS, the body responsible for credentialing a
6 physician for a hospital is a committee usually made up of a
7 hospital's staff physicians; and

8 WHEREAS, the joint commission, which accredits hospitals,
9 requires that hospitals repeat credentialing checks on
10 physicians at least every two years; and

11 WHEREAS, when a physician wishes to perform a new type of
12 procedure, the hospital's peer review committee reviews the
13 procedure and the physician's training and ability to perform
14 that procedure before approving the procedure; and

15 WHEREAS, one challenge to an effective hospital
16 credentialing process is the need for a committee to be
17 knowledgeable about any procedure it authorizes, despite the
18 difficulty of being fully informed about a wide variety of
19 innovative procedures; and

20 WHEREAS, another challenge to hospital credentialing
21 committees is that it can be difficult for colleagues to
22 thoroughly question and vet their fellow staff physicians
23 while maintaining a spirit of cooperation and collegiality
24 among physicians at that hospital; and

25 WHEREAS, without proper credentialing, a hospital's

1 patients may be subject to the unsafe practice of medicine by
2 a physician who is not qualified to engage in that practice,
3 which may result in bodily harm or even death; and

4 WHEREAS, a hospital that does not properly vet a
5 physician through the credentialing process may be subject to
6 enormous liability for any malpractice that results;

7 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
8 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico
9 legislative council be requested to direct the legislative
10 health and human services committee to conduct a hearing on
11 the subject of hospital physician credentialing; and

12 BE IT FURTHER RESOLVED that the New Mexico legislative
13 council direct the legislative health and human services
14 committee to receive testimony from experts on the
15 credentialing process and make recommendations regarding
16 policies and procedures to provide a thorough, effective and
17 efficient credentialing process that ensures patient safety;
18 and

19 BE IT FURTHER RESOLVED that the legislative health and
20 human services committee be directed to receive testimony on
21 the subject of hospital credentialing from experts that
22 include the joint commission, the New Mexico medical board,
23 the board of osteopathic medical examiners, the hospital
24 industry, medical and osteopathic physicians and individuals
25 with legal expertise in the field of medical malpractice; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council and the chair and vice chair of the legislative health and human services committee.



BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES