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State puts brakes on Penasco clinic closure

By Andrew Oxford

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State officials say Taos Health Systems cannot close its clinic in Penasco April 1, as was planned after a vote by the nonprofit's board Feb. 25 to shut down the facility.

As a health care provider that accepts Medicaid, Taos Health Systems is obligated to provide 60 days notice before closing a facility such as the Penasco Health Clinic, according to a spokesperson for the New Mexico Human Services Dept.

The interim CEO of Taos Health Systems confirmed this week the clinic will be staffed by a receptionist until May 15 to provide patients with assistance in transferring to another provider and obtaining medical records.

The clinic served 590 patients from the Penasco area during 2014, 150 of whom have been provided their medical records or transferred to another facility, interim CEO Cindy Bradley said Tuesday (March 24).

Bradley estimated there are probably a number of patients who made arrangements to see other providers but have not yet requested records, which will remain available from Taos Health Systems after the clinic closes.

The closure was a response to both the clinic's financial losses, expected to total \$141,000 in fiscal 2015, as well as what administrators described as the difficulties recruiting medical personnel to staff the facility.

The clinic's sudden closure has raised concerns among some Penasco area residents.

El Centro Family Health operates clinics in Penasco and nearby Embudo.

But the manner in which the clinic was closed has prompted criticism of the nonprofit's governance by Penasco's representative on the Taos County Board of Commissioners.

Candyce O'Donnell, who represents southern Taos County and is a patient at the Penasco Health Clinic, said she only received a letter informing her of the closure March 14. Prior to that, some patients had learned of the closure through The Taos News.

A letter to Sen. Tom Udall drafted by O'Donnell and approved by the board of commissioners during its regular March 17 meeting raised "serious concerns regarding the hastily closed Penasco Health Clinic ..." The letter noted some Penasco area residents are worried about difficulties in obtaining prescriptions.

Meanwhile, Taos County EMS and the sheriff have expressed concerns about the closure, fearing it will place more demand on their departments, the letter said.

O'Donnell notes in the letter, as was confirmed by the New Mexico Department of Health, that there are no closure protocols for federal and state certified rural health centers such as the Penasco clinic.

The letter called on Udall to work with the Centers for Medicare and Medicaid services on instituting new requirements for closing such facilities, including a 90-day written notification period.

O'Donnell suggested only two weeks official notice was too little, too late.

That an agenda circulated before the Feb. 25 board meeting did not include any mention of a vote to close the Penasco Health Clinic demonstrated a larger problem with the nonprofit's governance, O'Donnell said.

"They need to be more accountable and more transparent," O'Donnell said.

The newly elected commissioner even lent her support to a bill introduced during the last legislative session that would have required hospitals receiving public funding to abide by the New Mexico Open Meetings Act.

While the Taos Health Systems board of directors opens its meetings to the public, it allows itself broad discretion in determining what agenda items will be reserved for closed sessions. Meeting agendas and minutes, meanwhile, have been posted online in recent months. But as the closure of the Penasco Health Clinic demonstrated, the agendas are not exhaustive.