

Auditor threatens to use subpoena power against RMCH

Written by Staff Reports
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ALBUQUERQUE - New Mexico State Auditor Brian Colón hosted an emergency virtual meeting May 12 with significant stakeholders of the Rehoboth McKinley Christian Health Care Services that included the Chair of the Board of Trustees, Chair of the McKinley County Commissioners, County Manager, the Hospital's CEO and CFO, and members of the Executive Leadership team of the Office of the State Auditor. The meeting was held to convey the OSA's serious concerns over the hospital's continued failure to communicate, lack of transparency, and poor fiscal management.

Over the past year, the OSA asserted that it has made substantial investments of time into assisting the hospital and the county to ensure best practices are established to better serve vulnerable New Mexicans in need of critical health care services. Due to continued concerns with the hospital, Colón was forced to threaten use of the OSA's subpoena power, a critical and necessary tool not often employed, but utilized when faced with serious noncompliance.

Despite a significant number of COVID-19 cases and the declaration of the county as a Coronavirus "hot spot" in the state, the hospital administration and county officials have failed to act appropriately to ensure fiscal responsibility and adhere to its fiduciary duties, the OSA claims. Such failures to act can lead to grave outcomes for residents and patients amid a pandemic that has sickened 1,628 individuals and counting in McKinley County alone, according to the New Mexico Department of Health. Colón issued the following statement on the matter:

"This is no longer an issue of deep concern. This has elevated to a matter of literal life and death," he said. "My initial approach was to provide direction, guidance, and patience with the understanding and promise from the hospital and the county they would exercise collaborative and responsible community governance."

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“It has become painfully clear that through the inaction, infighting, and failure to prioritize the health and safety of the residents in McKinley County, the hospital and the County require further intervention.

“We can never allow critical care physicians to be distracted by failed leadership of operational mismanagement and oversight, and especially not during a global health crisis of this magnitude.

“I am heightening my intervention efforts to include a strict deadline of one week to provide the Independent Practice Association of (Southern) New Mexico, which serves over 400 medical practitioners, with requested documents or I will be forced to invoke the subpoena power of the office to compel the action.”

Colón called for the emergency virtual meeting with hospital leadership, its board of trustees, and the county administration on the heels of severe allegations by hospital physicians and the vote of no confidence of the hospital CEO.

The OSA stated the meeting was well attended and both short-term recommendations, to ensure the financial gridlock that threatens to deplete the health care resources necessary to meet the COVID-19 surge in McKinley County and negatively impact the operations of the hospital, and long-term initiatives were discussed.

Specifically, the meeting set a firm deadline of one week for the hospital to comply with significant production of requested documents by the IPA in connection with the Special Audit and noted failure to timely produce the required documentation will result in more action by the OSA, including the use of subpoena power to force the production of critical financial information.