



October 18, 2022

Delivered by email: Long-term Care Facility Administrators

Dear Facility Administrators:

This letter serves to remind you of your facility's obligations regarding the upcoming 2022 general election.

Long-term care facilities must support the right of residents to vote. As affirmed by the Centers for Medicare & Medicaid Services (CMS), facilities "should have a plan to ensure residents can exercise their right to vote, whether in-person, by mail, absentee, or other authorized process." Facilities should "coordinate and engage" with state programs to enable residents to vote. For residents who are unable to cast their ballots in person, facilities "must ensure residents have the right to receive and send their ballots via the U.S. Postal Service, or other authorized mechanism allowed by the State or locality." See CMS Memorandum Ref: QSO-21-02-NH.

While the referenced CMS guidance addresses residents of nursing facilities in particular, the right to vote extends to residents of all long-term care facilities.

Facilities in nursing homes may support resident voting rights by coordinating with existing programs such as absentee and early voting, providing access to stationery, postage, writing implements, and mail service, helping residents send and receive mail, assisting residents with voter registration, obtaining ballots, and completing and returning ballots.

Facilities must not interfere with residents exercising their right to vote, nor may facilities influence, coerce, discriminate, or retaliate against residents for exercising their right to vote.

For important information and deadlines pertaining to the general election, please visit the Secretary of State's website at <https://www.sos.state.nm.us/voting-and-elections/>. If you have any questions about your responsibilities regarding the upcoming election, please feel free to contact the New Mexico Secretary of State's office at 505-827-3600 or email the office at [Elections@sos.nm.gov](mailto:Elections@sos.nm.gov) for assistance.

Sincerely,

Long-Term Care Ombudsman Program/Aging & Long-Term Services Department and  
New Mexico Department of Health