AN ACT

RELATING TO HEALTH; ENACTING THE HEALTH SECURITY PLANNING AND
DESIGN BOARD ACT; ESTABLISHING THE HEALTH SECURITY PLANNING AND
DESIGN BOARD; PROVIDING FOR THE BOARD’S POWERS AND DUTIES;
CREATING REPORTING REQUIREMENTS; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Health Security Planning and Design Board Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Health Security Planning and Design Board Act:

A. "board" means the health security planning and design board;
B. "chair" means the chair of the board;
C. "health security plan" means a program that would automatically provide guaranteed comprehensive health
care coverage, including behavioral health, but excluding
long-term care, to all New Mexico residents not otherwise
exempted under federal law, regardless of health, income level
or employment status; and

D. "superintendent" means the superintendent of
insurance.

SECTION 3. [NEW MATERIAL] HEALTH SECURITY PLANNING AND
DESIGN BOARD--CREATION--COMPOSITION.--

A. The "health security planning and design board"
is created and administratively attached to the office of
superintendent of insurance. The board shall be composed of
eleven members who shall reflect the geographic, gender, ethnic
and racial diversity of the state. Board members shall be
appointed as follows:

(1) six appointments made by the New Mexico
legislative council; and

(2) five appointments made by the governor.

B. Vacancies on the board shall be filled by the
appointing entity.

C. Board members shall have substantial expertise
in relevant fields including: systems change, finance,
economics, payment models or data management as demonstrated by
education and experience.

D. A majority of the members of the board shall
have substantial knowledge of the health care system and health
care reform as demonstrated by education or experience, and at least three members shall have experience in direct patient care.

E. A person shall not serve on the board if that person:

(1) has, or is a member of the household of a person who has, during the previous twenty-four months, been employed by, served as an agent or officer of or had a controlling interest in an entity that is licensed to provide health insurance;

(2) is a state employee appointed by the governor and approved by the senate; or

(3) is an elected official.

SECTION 4. [NEW MATERIAL] BOARD OPERATIONS.--

A. Frequency of meetings, notice for meetings, open meeting policy, removal of board members, code of conduct for board members and other procedures necessary for the operation of the board shall be developed by the board.

B. The superintendent shall convene the first meeting of the board by September 1, 2021, and thereafter the board shall meet at the call of the chair. At the board's initial meeting, the members shall elect from their membership a chair and any other officers they deem necessary.

C. A majority of members constitutes a quorum. Members shall meet either in person or by telephone or other
electronic media that allow for full participation.

D. The support of a majority of members present at a meeting shall be required for adoption of any action by the board.

E. Appointed members may receive per diem and mileage in accordance with the Per Diem and Mileage Act, subject to appropriation by the legislature. Appointed members shall receive no other compensation, perquisite or allowance for their service on the board.

F. The board shall develop mechanisms for public input and the establishment of stakeholder advisory committees.

G. The board shall establish an electronic mail system for use by members in the conduct of board business. Board business shall be exclusively conducted on the board's electronic mail system.

SECTION 5. [NEW MATERIAL] STAFFING.--The board may:

A. hire an executive director and set the executive director's salary. Until the executive director is hired, the superintendent or the superintendent's designee shall serve as the interim executive director of the board;

B. hire other appropriate staff; and

C. contract with consultants as needed.

SECTION 6. [NEW MATERIAL] APPLICATION OF CERTAIN STATE LAWS TO THE BOARD.--The board shall:

A. be subject to and shall comply with the
provisions of the:
   (1) Open Meetings Act;
   (2) Inspection of Public Records Act;
   (3) Public Records Act;
   (4) Financial Disclosure Act;
   (5) Accountability in Government Act;
   (6) Gift Act; and
   (7) Governmental Conduct Act; and

B. not be subject to the provisions of the
Procurement Code or the Personnel Act.

SECTION 7. [NEW MATERIAL] POWERS AND DUTIES OF THE
BOARD.--

A. The board shall obtain and direct research to
design a health security plan that addresses the following
issues:
   (1) provider payment systems;
   (2) global budgets for health care facilities;
   (3) bulk purchases of drugs, medical supplies
   and equipment;
   (4) information technology system
   requirements;
   (5) waiver and agreement options for federal
   programs, including medicaid and medicare;
   (6) financing options;
   (7) supplemental health coverage; and

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(8) any other components deemed appropriate by the board.

B. By September 1, 2022, the board shall present a status report to the legislative finance committee, the interim legislative health and human services committee and the governor.

C. By September 1, 2023, the board shall present a final report to the legislative finance committee, the interim legislative health and human services committee and the governor that provides recommendations regarding design elements of the health security plan and proposed enabling legislation that would facilitate the establishment of such a plan.

SECTION 8. APPROPRIATION.--Six hundred thousand dollars ($600,000) is appropriated from the general fund to the office of superintendent of insurance for expenditure in fiscal years 2022 and 2023 to fund the health security planning and design board's research into the design of a plan to create a system of comprehensive health coverage for state residents, in accordance with Section 7 of the Health Security Planning and Design Board Act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2023 shall revert to the general fund.