

**MINUTES
of the
SEVENTH MEETING
of the
LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE**

**October 21-24, 2024
Rio Rancho Public School District Training Center
500 Laser Road NE
Rio Rancho**

The seventh meeting of the Legislative Health and Human Services Committee was called to order by Senator Gerald Ortiz y Pino, chair, on Monday, October 21, 2024, at 9:31 a.m. at the Rio Rancho Public School District Training Center in Rio Rancho.

Present

Sen. Gerald Ortiz y Pino, Chair
Rep. Elizabeth "Liz" Thomson, Vice Chair
Rep. Eleanor Chávez
Rep. Pamelya Herndon
Sen. Martin Hickey (10/22, 10/24)
Sen. Antoinette Sedillo Lopez

Absent

Sen. David M. Gallegos
Rep. Jenifer Jones

Advisory Members

Rep. Kathleen Cates
Rep. Gail Chasey
Rep. Joanne J. Ferrary
Rep. D. Wonda Johnson (10/24)
Sen. Linda M. López
Rep. Alan T. Martinez
Rep. Cristina Parajón (10/21)
Sen. Shannon D. Pinto (10/21, 10/22, 10/24)
Sen. Harold Pope
Sen. Nancy Rodriguez (10/21)
Sen. Bill Tallman (10/21, 10/22)

Rep. John Block
Sen. Katy M. Duhigg
Rep. Miguel P. García
Sen. Siah Correa Hemphill
Rep. Tara Jaramillo
Rep. Stefani Lord
Rep. Tara L. Lujan
Rep. Patricia Roybal Caballero
Sen. Gregg Schmedes
Sen. Elizabeth "Liz" Stefanics
Rep. Reena Szczepanski
Rep. Harlan Vincent

(Attendance dates are noted for those members not present for the entire meeting.)

Staff

Zander Dawson, Staff Attorney, Legislative Council Service (LCS)
Andrea Lazarow, Bill Drafter, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Monday, October 21

Welcome and Introductions (9:31 a.m.)

Senator Ortiz y Pino welcomed everyone to the meeting. Committee members introduced themselves.

Issues Affecting People with Disabilities (9:39 a.m.)

Senator Leo Jaramillo and Representative Susan K. Herrera provided overviews of health care and behavioral health care in their respective districts. Nanette Martinez de Rodriguez, city councilor, District 2, City of Espanola, and director, Adult Services, Las Cumbres Community Services, discussed services offered by Las Cumbres Community Services in Santa Fe, Rio Arriba, Los Alamos, Taos and Bernalillo counties. Jim Copeland, executive director, Association of Developmental Disabilities Community Providers, shared common concerns of health care providers who treat patients with developmental disabilities.

Health Care Authority (HCA) Developmental Disabilities Supports Division Updates (10:44 a.m.)

Kari Armijo, secretary, HCA; Jennifer Rodriguez, director, Developmental Disabilities Supports Division, HCA; and Dan Lanari, director, Health Improvement Division, HCA, provided a presentation on the HCA's efforts to support health care provider capacity, reduce administrative burdens on health care providers, ensure updated rates and timely payments, reduce renewal processing time for waiver applications, improve wellness visits and provide additional resources for direct-support professionals. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=2>.

Approval of Minutes (1:05 p.m.)

Upon a motion made, and without any objections, the committee approved the minutes of the September 23-25, 2024 meeting.

Pueblo of Santa Ana Health Care Status Update (1:11 p.m.)

Myron Armijo, governor, Pueblo of Santa Ana; Kevin C. Montoya, lieutenant governor, Pueblo of Santa Ana; Carrie Brauer, program manager, Pueblo of Santa Ana Senior Center; and

Miriam Campos Marchetti, director, Pueblo of Santa Ana Health and Human Services Department, explained that insufficient federal and state funding to the pueblo makes it difficult to provide adequate, comprehensive health care. The lack of accessible and affordable healthy food contributes to the high prevalence of type 2 diabetes, hypertension, heart disease and other chronic diseases in the pueblo. However, many senior citizens participate in and enjoy health and wellness activities at the Pueblo of Santa Ana Senior Center, and the Pueblo of Santa Ana Health and Human Services Department offers several health resources to the community.

Anna, Age Eight Institute Blueprint Project (2:10 p.m.)

Katherine Ortega Courtney, Ph.D., co-director, Anna, Age Eight Institute, and co-developer, 100% New Mexico Initiative; Veronica Krupnick, leadership analyst, Office of House Majority Floor Leader; Melissa Moyer, Ph.D., L.C.S.W., director, Master of Social Work Program, and assistant professor, Eastern New Mexico University; Diego Lopez, executive director, Hands Across Cultures, and president, Rio Arriba Community Health Council; and Kristen Trujillo, executive director, San Martin de Porres Soup Kitchen, and team lead, 100% Food Security Action, Rio Arriba Community Health Council, described the Anna, Age Eight Institute's two-year-long child welfare blueprint project, which comprises a series of focus groups and town halls to hear about New Mexicans' experiences with child welfare. When the project is complete, a task force will be created to provide recommendations based on the project's findings.

Partners for Reentry Opportunity in Workforce Development (3:22 p.m.)

Nina Chavez, director, Government Relations, Goodwill Industries of New Mexico (GINM); Sessa Lee, chief services officer, GINM; and Roger Gonzales, president and chief executive officer (CEO), Gonzales Strategic Group, discussed challenges of and strategies for formerly incarcerated individuals when reintegrating into the workforce. According to research from the Legislative Finance Committee (LFC) and the Corrections Department, most people who are released from New Mexico prisons desire to work but can face barriers to reentering the workforce, such as lack of housing, behavioral health needs and child care needs. The panel recommended providing recurring funding to state-administered workforce reentry programs and creating a reentry task force. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=5>.

Public Comment (4:09 p.m.)

A list of individuals making public comment is available in the meeting file.

Recess

The meeting recessed at 4:14 p.m.

Tuesday, October 22

Reconvene

The meeting reconvened at 9:31 a.m.

Hole in the Heart (9:37 a.m.)

Sandra Sanchez Fahrlander, founder and president, Hole in the Heart; Bob Fahrlander, co-founder and treasurer, Hole in the Heart; Kelsey Leibenhaut, M.S.N.; and Crystal Avila Schroeder, M.D., comprised a panel of parents of children born with congenital heart defects. Mr. Fahrlander and Ms. Sanchez Fahrlander, a married couple, shared their story of founding Hole in the Heart, a nonprofit agency that advocates for families of children with congenital heart defects, after raising their son who was diagnosed with a congenital heart defect as a teenager. The panel recommended passing legislation that would mandate that echocardiograms and electrocardiograms be administered to newborn infants who are at risk of being born with or developing cardiac disease. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=6>.

Independent Living Resource Center (10:31 a.m.)

Kate Unna, senior program officer, Independent Living Resource Center, provided an overview of the Independent Living Resource Center, a private, nonprofit agency that provides resources to disabled people who live independently. The Independent Living Resource Center offers independent living services, nursing home transition services and personal attendant services. The center advocates for at-home accessibility and helps pay for and install home and vehicle modifications and adaptive equipment for people with disabilities.

Brainstorming Session (12:04 p.m.)

Senator Ortiz y Pino led the committee in a brainstorming session focused on potential legislation that could address the issues presented to the committee.

Public Comment (12:37 p.m.)

A list of individuals making public comment is available in the meeting file.

Department of Health (DOH) Respiratory Illness Update (1:15 p.m.)

Patrick Allen, secretary, DOH; Daniel Sosin, M.D., M.P.H., medical epidemiologist, DOH; Erin Phipps, D.V.M., M.P.H., state public health veterinarian, DOH; and Miranda Durham, M.D., M.B.A., chief medical officer, DOH, discussed COVID-19, influenza and respiratory syncytial virus in New Mexico, including incidence rates during the fall and winter months, outbreak readiness and vaccination coverage rates. They noted that the DOH has a vaccination campaign to address the growing prominence of vaccine hesitancy and described new tools to track diseases across the state. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=8>.

DOH School-Based Health Center Update (2:37 p.m.)

Kristin Oreskovich, D.N.P., C.P.N.P., clinical operations manager, School-Based Health Center Program, DOH, and Secretary Allen provided a time line of and described the expansion of school-based health centers. The DOH and the Public Education Department have partnered

to create an educational and health data matching project to ensure long-term sustainability of school-based health centers. Nancy Rodriguez, executive director, New Mexico Alliance for School-Based Health Care, discussed state and national trends of school-based health centers. Goals for growing school-based health centers include providing telehealth services, creating mobile units to reach rural areas and providing services to early childhood campuses. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=9>.

Abrazos Family Support Services (3:55 p.m.)

April Spaulding, executive director, Abrazos Family Support Services, provided a presentation about Abrazos Family Support Services, a nonprofit organization in the Town of Bernalillo that provides services to people with developmental delays and disabilities. Abrazos Family Support Services offers respite services for caregivers of disabled people, applied behavior analysis for autistic people, early intervention services for families with babies or toddlers and family living services to provide full-time, in-home care for adults. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=10>.

Recess

The meeting recessed at 5:16 p.m.

Wednesday, October 23

Reconvene

The meeting reconvened at 9:34 a.m.

New Mexico Alliance of Health Councils (NMAHC) (9:35 a.m.)

Valeria Alarcón, executive director, NMAHC; Heather Maxey, health council and public health specialist, NMAHC; and Gerilyn Antonio, M.P.H., tribal liaison, NMAHC, discussed the impact of county health councils and tribal health councils. The NMAHC is a 501(c)(3) organization that represents, advocates for and provides services to New Mexico's 33 county health councils and 10 tribal health councils. The panel reviewed the history and sources of funding for health councils and explained the NMAHC's community health improvement plan. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=11>.

Dona Ana County *Kevin S.* Pilot Program (10:37 a.m.)

Rosenda Chavez-Lara, family law attorney and former guardian ad litem, provided an update on the Coordinated Action Pilot Program in Dona Ana County. The pilot program

involves a collaboration between behavioral health providers and child welfare professionals to evaluate current practices and provide recommendations based on the pilot program's findings to meet the needs of children and families involved with protective services. Jennifer Raes, L.C.S.W., shared her personal experience as a social worker for the Children, Youth and Families Department (CYFD) and offered strategies on how the CYFD could be improved. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=12>.

Public Comment (11:57 a.m.)

A list of individuals making public comment is available in the meeting file.

New Mexico Chiropractic Association (1:38 p.m.)

Robert Jones, D.C., former president, American Chiropractic Association; J.C. Moore, D.C.-A.P.C., president, New Mexico Chiropractic Association; and Michael Pridham, D.C.-A.P.C., described the current scope of practice of chiropractic physicians in New Mexico, which is one of the largest scopes of practice in the country. They suggested that expanding chiropractic physicians' scope of practice could potentially help with the statewide primary care provider shortage. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=13>.

Hunger in New Mexico (2:20 p.m.)

Jill Dixon, executive director, The Food Depot, and Katy Anderson, vice president, Strategy, Partnerships and Advocacy, Roadrunner Food Bank, stated that one in seven New Mexicans experiences food insecurity. The Roadrunner Food Bank has a coalition called the Roadrunner's Coalition to End Hunger. The coalition plans to publish a blueprint in the fall of 2025 for ending hunger in New Mexico. Ms. Dixon and Ms. Anderson recommended that the legislature allocate \$10 million in the HCA's fiscal year 2026 budget for food banks. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=14>.

Developmental Disabilities Council Update (3:30 p.m.)

Joe Turk, legal director, Office of Guardianship, Developmental Disabilities Council; Vashad Frink, job trainee, New Mexico Center for Self Advocacy, Developmental Disabilities Council, and lead ambassador, New Mexico Supported Decision-Making; and Eli Fresquez, Accessible New Mexico, discussed supported decision making in New Mexico. Supported decision making is an alternative to guardianship and promotes the ability of individuals with

mental or developmental disabilities to make their own choices. They provided information about other states' supported decision making laws. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=15>.

Recess

The meeting recessed at 4:44 p.m.

Thursday, October 24

Reconvene

The meeting reconvened at 8:59 a.m.

HCA Budget Request Preview (9:01 a.m.)

Eric Chenier, principal analyst, LFC, discussed the HCA's budget request for fiscal year 2026. The HCA is in its first fiscal year and requests \$2.25 billion. The authority receives significant federal funding, and its budget for fiscal year 2025 is approximately \$12.2 billion. The HCA's budget is likely to increase in coming years with the enactment of the Health Care Delivery and Access Act (HCDAA). Budget drivers include medical inflation, rate adjustments, services for developmentally disabled people and projected decreases in federal matching. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=16>.

DOH Budget Request Preview (9:01 a.m.)

Kelly Klundt, principal analyst, LFC, reviewed the DOH's budget request for fiscal year 2026. The department's requests total \$243.9 million, and most of the requests are for operational costs such as personnel pay, rent and utilities. The DOH oversees fewer divisions and programs because many of the department's former divisions and programs were transferred to the HCA. Other budget requests are for money for public health mobile unit staffing, a climate health program, the DOH hotline and operational costs for the New Mexico Behavioral Health Institute at Las Vegas. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=17>.

CYFD Budget Request Preview (9:01 a.m.)

Rachel Mercer-Garcia, principal analyst, LFC, presented on the CYFD's budget request for fiscal year 2026. The CYFD's requests total \$412.7 million. Most of the requests are for costs of protective services, filling 101 more caseworker positions, maintaining group homes that are ineligible for federal funding, implementing *Kevin S.* requirements and creating a new workforce training program. The budget request includes a proposal for creating a new family

services program and staffing and operational needs for the program. The CYFD hopes to develop a child welfare training academy and maintain staffing at the receiving center for 24 hours per day. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=18>.

HCA Health Care Workforce Update (10:39 a.m.)

Alex Castillo Smith, deputy secretary, HCA, and Elisa Wrede, strategic planning director, HCA, discussed rural health care workforce development, Medicaid increases as of fiscal year 2025 and implications of the enactment of the HCDA for hospitals. They reviewed outcomes from the Rural Health Care Delivery Fund from fiscal year 2024 and described the funding for recipients. Crisis services have increased throughout the state, and three new, accredited, rural primary care residencies have opened in New Mexico since 2019. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=19>.

Public Comment (11:43 a.m.)

A list of individuals making public comment is available in the meeting file.

Rightway Healthcare (12:17 p.m.)

Scott Musial, chief pharmacy officer and general manager, Pharmacy Benefits Management, Rightway Healthcare; James Powell, vice president, Enterprise Partnerships, Rightway Healthcare; and Ashley Elizabeth Hasle, senior vice president of growth, Rightway Healthcare, described Rightway Healthcare's mission of supporting rural pharmacies and providing services to areas of the country that are pharmacy deserts, such as New Mexico. Rightway Healthcare provides full-service pharmacy benefits management (PBM). The panel explained Rightway Healthcare's PBM model. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=20>.

ArrayRx (1:10 p.m.)

Trevor Douglass, D.C., M.P.H., director, Oregon Prescription Drug Program, and director, Pharmacy Policy and Programs, Office of Delivery Systems Improvement, Oregon Health Authority, provided information about ArrayRx, which was formerly called the Northwest Prescription Drug Consortium. ArrayRx originated in Oregon and Washington and now has other member states. ArrayRx offers PBM services, drug purchasing services, prescription drug voucher services and state-sponsored prescription drug discount cards. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=21>.

Capital Rx (1:50 p.m.)

Louanne Cunico, vice president of pharmacy services and pharmacy director, Presbyterian Health Plan, and Lloyd D. Fiorini, general counsel and chief compliance officer, Capital Rx, presented about Capital Rx, which provides PBM services. Capital Rx is the fastest growing health care company in the country, serving more than 65,000 in-network pharmacies. Capital Rx operates a cloud-based platform for pharmacy administration that handles details such as claims, prior authorization, data exchange and invoicing. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/21/2024&ItemNumber=22>.

Adjournment

There being no further business before the committee, the meeting adjourned at 2:59 p.m.