

HOUSE JOINT MEMORIAL 16

44TH LEGISLATURE - STATE OF NEW MEXICO - 2ND SPECIAL SESSION, 2000

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE NEW MEXICO HEALTH POLICY COMMISSION TO
ESTABLISH A TASK FORCE TO DEFINE "MEDICAL NECESSITY".

WHEREAS, the concept of medical necessity is widely used
in the field of health insurance to determine what care is
appropriate and will be covered by an insurance company; and

WHEREAS, the concept of medical necessity is not
uniformly interpreted or applied by health insurance
companies operating in New Mexico; and

WHEREAS, this issue arises in the context of both
commercial insurance coverage and medicaid managed care; and

WHEREAS, if an inappropriately narrow definition of
medical necessity is applied, appropriate care that is a
covered benefit may be denied to a patient; and

WHEREAS, it is essential that a definition of medical
necessity be used that ensures that appropriate care is
provided to New Mexicans; and

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1 WHEREAS, the definition of medical necessity should take
2 into account individual needs and situations rather than
3 being arbitrarily applied in an inflexible way; and

4 WHEREAS, the definition of medical necessity should
5 recognize the special needs of patients with a particular
6 health condition, including chronic disease, disability,
7 mental illness and other circumstances; and

8 WHEREAS, the definition of medical necessity should
9 ensure that decisions regarding medical necessity are made on
10 the basis of adequate information; and

11 WHEREAS, the role of treating health care providers
12 should be adequately recognized in making medical necessity
13 decisions;

14 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
15 STATE OF NEW MEXICO that the New Mexico health policy
16 commission form a task force to study this issue and make
17 recommendations to the legislature regarding a definition of
18 medical necessity to be used in making decisions regarding
19 health care for New Mexicans; and

20 BE IT FURTHER RESOLVED that the task force include
21 representatives of the health care insurance industry, a
22 broad array of health care providers, consumer organizations
23 and advocates and state agencies with responsibilities in
24 this area; and

25 BE IT FURTHER RESOLVED that the New Mexico health policy
commission ensure that consumers and consumer representatives
are adequately represented on the task force so that consumer

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viewpoints are properly considered; and

BE IT FURTHER RESOLVED that the New Mexico health policy commission report its recommendations to the legislative health and human services committee at its September 2000 meeting; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico health policy commission, the insurance division of the public regulation commission, the human services department, the department of health, the state agency on aging, the New Mexico legislative council, the legislative health and human services committee and other interested parties.