

SENATE FLOOR SUBSTITUTE FOR
SENATE BILL 719

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

AN ACT

RELATING TO HEALTH; CREATING THE HOLLY GONZALES EXPERIMENTAL
TREATMENT FUND; MAKING AN APPROPRIATION; DECLARING AN
EMERGENCY.

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

Section 1. HOLLY GONZALES EXPERIMENTAL TREATMENT FUND
CREATED. --

A. The "Holly Gonzales experimental treatment
fund" is created in the state treasury.

B. The Holly Gonzales experimental treatment fund
shall be administered by the secretary of health. The money
in the fund shall be used solely for the purpose of paying for
the costs of federal drug administration approved experimental
treatments or procedures for children with catastrophic,
debilitating or terminal illnesses. An attending physician of

. 137801. 1

underscored material = new
[bracketed material] = delete

1 a patient seeking coverage of a treatment or procedure from
2 the fund shall certify to the secretary of health that
3 conventional treatments or procedures cannot control or cure
4 the illness, the expected outcome for the patient is death and
5 the experimental treatment or procedure has a reasonable
6 chance of either curing or controlling the illness for an
7 extended period of time. The patient shall provide
8 documentation from his medical insurer that the experimental
9 treatment is not included in the policy covering the patient.

10 C. The patient shall submit receipts to the
11 secretary of health for payment from the Holly Gonzales
12 experimental treatment fund for the direct expenses of the
13 experimental treatment or procedure and for associated
14 expenses necessarily incurred in obtaining the treatment or
15 procedure.

16 D. Disbursements from the Holly Gonzales
17 experimental treatment fund shall be by warrant drawn by the
18 secretary of finance and administration pursuant to vouchers
19 signed by the secretary of health.

20 Section 2. APPROPRIATION. --Five hundred thousand dollars
21 (\$500,000) is appropriated from the general fund to the Holly
22 Gonzales experimental treatment fund for expenditure in fiscal
23 years 2001 and 2002 for carrying out the purposes of the fund.
24 Any unexpended or unencumbered balance remaining at the end of
25 fiscal year 2002 shall revert to the general fund.

