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SENATE BILL 379

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Stuart Ingle

AN ACT

RELATING TO MEDICAID; CREATING A JOINT INTERIM LEGISLATIVE
MEDICAID REFORM COMMITTEE; MAKING AN APPROPRIATION; DECLARING
AN EMERGENCY.

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

Section 1. TEMPORARY PROVISION--MEDICAID REFORM
COMMITTEE CREATED.--There is created a joint interim
legislative committee that shall be known as the "medicaid
reform committee". The committee shall function from the date
of its appointment until the first day of December prior to
the first session of the forty-sixth legislature.

Section 2. TEMPORARY PROVISION--MEMBERSHIP--ADVISORY
MEMBERS--APPOINTMENT--VACANCIES.--

A. The medicaid reform committee shall be composed
of twelve members. Six members of the house of

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1 representatives shall be appointed by the speaker of the house
2 of representatives and six members of the senate shall be
3 appointed by the committees' committee of the senate or, if
4 the appointments are made in the interim, by the president pro
5 tempore of the senate after consultation with and agreement of
6 a majority of the members of the committees' committee.

7 B. Members of the medicaid reform committee shall
8 be appointed from each house so as to give the two major
9 political parties in each house the same proportional
10 representation on the committee as prevails in each house;
11 however, in no event shall either party have less than one
12 member from each house on the committee. Vacancies on the
13 committee shall be filled by appointment in the same manner as
14 the original appointments. The chairman and vice chairman of
15 the committee shall be elected by the committee.

16 C. An eighteen-member medicaid advisory group
17 comprised of experts in medicaid or health care shall assist
18 and advise the medicaid reform committee. The governor, the
19 speaker of the house of representatives and the president pro
20 tempore of the senate shall each appoint six members to the
21 medicaid advisory group. The governor, the speaker and the
22 president pro tempore shall coordinate their appointments to
23 ensure representation from the following groups: health care
24 and legal consumer advocates; community-based providers;
25 mental and behavioral health providers; health care

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1 information management organizations; health care financial
2 management organizations; health care payers and insurers;
3 hospitals and other institutional providers; and physicians,
4 nurses and other health care professionals.

5 D. No action shall be taken by the committee if a
6 majority of the total membership from either house on the
7 committee rejects such action.

8 Section 3. TEMPORARY PROVISION--DUTIES.--

9 A. After its appointment, the medicaid reform
10 committee shall hold one organizational meeting to develop a
11 work plan and budget for the ensuing interim.

12 B. In developing the work plan, the medicaid
13 reform committee shall take into consideration current
14 resources and projected needs for the state medicaid program's
15 services, delivery, funding and policy, including:

16 (1) the current operating structure of the
17 medicaid programs in New Mexico;

18 (2) the level of oversight authority
19 necessary for the medicaid-related divisions of the human
20 services department and health care payer and provider
21 contractors under the medicaid program;

22 (3) the operational structure of the state
23 medicaid program, with respect to how policy and fiscal
24 determinations are made;

25 (4) the concerns and recommendations

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1 regarding the operation of the medicaid program made by other
2 interim legislative committees, consumer advocates, health
3 care providers, health care payers or their respective
4 organizations;

5 (5) the allocation of health care costs and
6 funding sources to avoid or eliminate unnecessary cost-
7 shifting;

8 (6) the geographic distribution of health
9 care professionals, resources and programs in the state
10 medicaid program and of public-private partnerships to address
11 health care access, delivery and funding issues that are
12 problematic for both employers and employees; and

13 (7) the available federal, state and local
14 sources of funding for the state medicaid program.

15 C. The work plan and budget shall be submitted to
16 the New Mexico legislative council for approval. Upon
17 approval of the work plan and budget by the council, the
18 medicaid reform committee shall examine the statutes,
19 constitutional provisions, regulations and court decisions
20 governing the state medicaid program and related health care
21 programs and services and recommend legislation or changes.

22 Section 4. TEMPORARY PROVISION--SUBCOMMITTEES. --
23 Subcommittees shall be created only by majority vote of all
24 members appointed to the medicaid reform committee and with
25 the prior approval of the New Mexico legislative council. A

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1 subcommittee shall be composed of at least one member from the
2 senate and one member from the house of representatives, and
3 at least one member of the minority party shall be a member of
4 the subcommittee. All meetings and expenditures of a
5 subcommittee shall be approved by the full committee in
6 advance of such meeting or expenditure, and the approval shall
7 be shown in the minutes of the committee.

8 Section 5. TEMPORARY PROVISION--REPORT.--The medicaid
9 reform committee shall make a report of its findings and
10 recommendations for the consideration of the legislature. The
11 report and suggested legislation shall be made available to
12 the New Mexico legislative council by December 15 preceding
13 the first session of the forty-sixth legislature.

14 Section 6. TEMPORARY PROVISION--STAFF.--The staff for
15 the medicaid reform committee shall be provided by the
16 legislative council service.

17 Section 7. APPROPRIATION.--Four hundred thousand dollars
18 (\$400,000) is appropriated from the general fund's
19 appropriation for the New Mexico health policy commission to
20 the legislative council service for expenditure in fiscal year
21 2003 to pay for technical and legal assistance and for
22 necessary equipment and supplies used in carrying out the
23 provisions of this act and for reimbursing the per diem and
24 mileage expenses of the committee. Any unexpended or
25 unencumbered balance remaining at the end of fiscal year 2003

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1 shall revert to the general fund. Payments from the
2 appropriation shall be made upon vouchers signed by the
3 director of the legislative council service or his authorized
4 representative.

5 Section 8. EMERGENCY.--It is necessary for the public
6 peace, health and safety that this act take effect
7 immediately.

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