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SENATE BILL 101

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO HEALTH CARE; ESTABLISHING A PILOT PROGRAM FOR  
REMOTE PATIENT MONITORING; PROVIDING FOR RULEMAKING; REQUIRING  
A STRATEGIC PLAN AND REPORT; MAKING APPROPRIATIONS.

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

SECTION 1. A new section of the Department of Health Act  
is enacted to read:

"~~[NEW MATERIAL]~~ REMOTE PATIENT HEALTH PILOT PROGRAM  
CREATED--DUTIES--STRATEGIC PLAN AND REPORT.--

A. The department shall develop and implement a  
remote patient monitoring pilot program beginning in fiscal  
year 2021 for two counties with significant populations of  
eligible remote patients who have increased health risk due to  
chronic illness as well as alcohol or substance abuse. The  
department shall use the pilot program to create a baseline for

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1 the public health benefits and the costs of establishing a  
2 statewide program to provide remote monitoring of vital health  
3 indicators for at-risk patients.

4 B. The department shall establish by rule:

5 (1) a definition of "at-risk patient" based on  
6 health conditions, including substance use disorders, that can  
7 be addressed with significant benefits to the patient through  
8 intermittent remote reporting of vital health indicators to the  
9 patient's health care provider;

10 (2) a definition of "remote patient" based on  
11 the physical distance of a patient's residence from health care  
12 facilities or other factors that physically limit a patient's  
13 access to health care services;

14 (3) a definition of "eligible remote patient"  
15 based on a patient's physical access to health care services  
16 and the patient's level of at-risk health conditions;

17 (4) a list of vital health indicators that may  
18 be determined by an average person without medical training  
19 through the use of electronic or mechanical equipment and that  
20 would allow a medical professional to determine if a remote  
21 patient needs to visit a health care facility; and

22 (5) the requirements for equipment that could  
23 be used by a patient in the patient's home to determine vital  
24 health indicators and to transmit those indicators to a health  
25 care provider.

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1           C. The department may provide equipment for the  
2 remote monitoring, transmittal and reception of vital health  
3 indicators to eligible at-risk patients either through the  
4 county governments participating in the remote patient  
5 monitoring pilot program or directly to program participants  
6 provided that:

7                   (1) the department shall retain ownership of  
8 the equipment; and

9                   (2) provision of the equipment shall be by a  
10 contract with the recipient that provides for its timely return  
11 to the department. The department shall establish by rule the  
12 requirements for return of the equipment, including the  
13 condition in which the recipient must maintain the equipment  
14 until it is returned.

15           D. The department shall develop a statewide  
16 strategic plan to provide remote monitoring of vital health  
17 indicators for at-risk patients who live in remote locations or  
18 otherwise lack immediate access to health care services. The  
19 department shall provide a report summarizing the plan to the  
20 legislative finance committee and the legislative health and  
21 human services committee by November 30, 2020. The report  
22 shall include:

23                   (1) the administrative structure required to  
24 implement a statewide health monitoring program in partnership  
25 with medical professionals for remote at-risk patients;

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1 (2) the staffing requirements needed to  
2 implement the statewide remote health monitoring program,  
3 including expertise and professional requirements as well as  
4 the numbers of full-time-equivalent employees;

5 (3) the types and numbers of monitoring,  
6 transmitting and receiving equipment that would be required by  
7 patients and health care providers to enable remote monitoring  
8 of vital health indicators; and

9 (4) the varying costs and public health  
10 benefits of establishing a program that would serve fifty  
11 percent, seventy-five percent and one hundred percent of the  
12 estimated population of eligible remote at-risk patients."

13 SECTION 2. APPROPRIATIONS.--

14 A. The following amounts are appropriated from the  
15 general fund to the department of health for expenditure in  
16 fiscal year 2021 for the following purposes:

17 (1) three million four hundred thousand  
18 dollars (\$3,400,000) to develop and implement a pilot program  
19 for remote monitoring of vital health indicators for eligible  
20 at-risk patients in two counties;

21 (2) three hundred thousand dollars (\$300,000)  
22 to develop a strategic plan and report for statewide remote  
23 monitoring of vital health indicators for at-risk patients; and

24 (3) six million five hundred thousand dollars  
25 (\$6,500,000) to purchase equipment to remotely monitor,

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1 transmit and receive vital health indicators for eligible at-  
2 risk patients in two counties; provided that if severance tax  
3 bond funding is provided for this purpose, the amount of this  
4 appropriation shall be reduced by the same amount as provided  
5 in the severance tax bond legislation.

6 B. Any unexpended or unencumbered balance remaining  
7 at the end of fiscal year 2021 shall revert to the general  
8 fund.

9 SECTION 3. EFFECTIVE DATE.--The effective date of the  
10 provisions of this act is July 1, 2020.