

HOUSE BILL 203

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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AN ACT

RELATING TO HEALTH; ENACTING THE HEALTH SECURITY PLANNING AND
DESIGN BOARD ACT; ESTABLISHING THE HEALTH SECURITY PLANNING AND
DESIGN BOARD; PROVIDING FOR THE BOARD'S POWERS AND DUTIES;
CREATING REPORTING REQUIREMENTS; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Health Security Planning and Design Board Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
Health Security Planning and Design Board Act:

A. "board" means the health security planning and
design board;

B. "chair" means the chair of the board;

C. "health security plan" means a program that
would automatically provide guaranteed comprehensive health

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1 care coverage, including behavioral health, but excluding
2 long-term care, to all New Mexico residents not otherwise
3 exempted under federal law, regardless of health, income level
4 or employment status; and

5 D. "superintendent" means the superintendent of
6 insurance.

7 SECTION 3. ~~[NEW MATERIAL]~~ HEALTH SECURITY PLANNING AND
8 DESIGN BOARD--CREATION--COMPOSITION.--

9 A. The "health security planning and design board"
10 is created and administratively attached to the office of
11 superintendent of insurance. The board shall be composed of
12 eleven members who shall reflect the geographic, gender, ethnic
13 and racial diversity of the state. Board members shall be
14 appointed as follows:

15 (1) six appointments made by the New Mexico
16 legislative council; and

17 (2) five appointments made by the governor.

18 B. Vacancies on the board shall be filled by the
19 appointing entity.

20 C. Board members shall have substantial expertise
21 in relevant fields including: systems change, finance,
22 economics, payment models or data management as demonstrated by
23 education and experience.

24 D. A majority of the members of the board shall
25 have substantial knowledge of the health care system and health

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1 care reform as demonstrated by education or experience, and at
2 least three members shall have experience in direct patient
3 care.

4 E. A person shall not serve on the board if that
5 person:

6 (1) has, or is a member of the household of a
7 person who has, during the previous twenty-four months, been
8 employed by, served as an agent or officer of or had a
9 controlling interest in an entity that is licensed to provide
10 health insurance;

11 (2) is a state employee appointed by the
12 governor and approved by the senate; or

13 (3) is an elected official.

14 SECTION 4. [NEW MATERIAL] BOARD OPERATIONS.--

15 A. Frequency of meetings, notice for meetings, open
16 meeting policy, removal of board members, code of conduct for
17 board members and other procedures necessary for the operation
18 of the board shall be developed by the board.

19 B. The superintendent shall convene the first
20 meeting of the board by September 1, 2021, and thereafter the
21 board shall meet at the call of the chair. At the board's
22 initial meeting, the members shall elect from their membership
23 a chair and any other officers they deem necessary.

24 C. A majority of members constitutes a quorum.
25 Members shall meet either in person or by telephone or other

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1 electronic media that allow for full participation.

2 D. The support of a majority of members present at
3 a meeting shall be required for adoption of any action by the
4 board.

5 E. Appointed members may receive per diem and
6 mileage in accordance with the Per Diem and Mileage Act,
7 subject to appropriation by the legislature. Appointed members
8 shall receive no other compensation, perquisite or allowance
9 for their service on the board.

10 F. The board shall develop mechanisms for public
11 input and the establishment of stakeholder advisory committees.

12 G. The board shall establish an electronic mail
13 system for use by members in the conduct of board business.
14 Board business shall be exclusively conducted on the board's
15 electronic mail system.

16 SECTION 5. [NEW MATERIAL] STAFFING.--The board may:

17 A. hire an executive director and set the executive
18 director's salary. Until the executive director is hired, the
19 superintendent or the superintendent's designee shall serve as
20 the interim executive director of the board;

21 B. hire other appropriate staff; and

22 C. contract with consultants as needed.

23 SECTION 6. [NEW MATERIAL] APPLICATION OF CERTAIN STATE
24 LAWS TO THE BOARD.--The board shall:

25 A. be subject to and shall comply with the

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1 provisions of the:

- 2 (1) Open Meetings Act;
- 3 (2) Inspection of Public Records Act;
- 4 (3) Public Records Act;
- 5 (4) Financial Disclosure Act;
- 6 (5) Accountability in Government Act;
- 7 (6) Gift Act; and
- 8 (7) Governmental Conduct Act; and

9 B. not be subject to the provisions of the
10 Procurement Code or the Personnel Act.

11 SECTION 7. [NEW MATERIAL] POWERS AND DUTIES OF THE
12 BOARD.--

13 A. The board shall obtain and direct research to
14 design a health security plan that addresses the following
15 issues:

- 16 (1) provider payment systems;
- 17 (2) global budgets for health care facilities;
- 18 (3) bulk purchases of drugs, medical supplies
19 and equipment;
- 20 (4) information technology system
21 requirements;
- 22 (5) waiver and agreement options for federal
23 programs, including medicaid and medicare;
- 24 (6) financing options;
- 25 (7) supplemental health coverage; and

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1 (8) any other components deemed appropriate by
2 the board.

3 B. By September 1, 2022, the board shall present a
4 status report to the legislative finance committee, the interim
5 legislative health and human services committee and the
6 governor.

7 C. By September 1, 2023, the board shall present a
8 final report to the legislative finance committee, the interim
9 legislative health and human services committee and the
10 governor that provides recommendations regarding design
11 elements of the health security plan and proposed enabling
12 legislation that would facilitate the establishment of such a
13 plan.

14 **SECTION 8. APPROPRIATION.**--Six hundred thousand dollars
15 (\$600,000) is appropriated from the general fund to the office
16 of superintendent of insurance for expenditure in fiscal years
17 2022 and 2023 to fund the health security planning and design
18 board's research into the design of a plan to create a system
19 of comprehensive health coverage for state residents, in
20 accordance with Section 7 of the Health Security Planning and
21 Design Board Act. Any unexpended or unencumbered balance
22 remaining at the end of fiscal year 2023 shall revert to the
23 general fund.