

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 2/21/2025 *Check all that apply:*  
**Bill Number:** SB 558 Original  Correction   
 Amendment  Substitute

**Sponsor:** Pete Campos  
 Home-Based Health Care  
 Medicaid Waiver

**Agency Name and Code Number:** Aging and Long-Term Services Department -6400

**Person Writing fsdfs** Debbie Gonzales and Jennifer Vigil  
**Analysis:** [Jennifer.Vigil@altsd.nm.gov](mailto:Jennifer.Vigil@altsd.nm.gov);  
[Debbie.Gonzales@altsd.nm.gov](mailto:Debbie.Gonzales@altsd.nm.gov)

**Short Title:** \_\_\_\_\_ **Phone:** 505-470-8293 : \_\_\_\_\_ **Email:** Debbie.Gonzales@altsd.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$2,000.00		Nonrecurring	General fund

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Senate Bill 558 (SB558) proposes to add the “Home-Based Health Care Medicaid Waiver”, to the Public Assistance Act, § 27-2-1 to § 27-2-47 NMSA 1978. SB558 requires the Health Care Authority (HCA) to submit an application to Centers for Medicare and Medicaid Services (CMS) no later than August 1, 2025, to develop a home-based health care Medicaid waiver program for persons who are sixty-five years of age or older and diagnosed with a chronic debilitating disease. A chronic debilitating disease is defined as a disease that “persists over a long period of time, impairs a person’s physical or mental abilities and significantly impacts a person’s quality of life.”

**FISCAL IMPLICATIONS**

ALTSD currently assists the HCA with Home and Community Based Waiver applications and questions. ALTSD may need to hire additional staff within the Community and Elder Rights Division (CERD) if there is an increase in application-related needs.

SB 558 appropriates \$2,000,000 from the general fund for expenditure in fiscal years 2025 and 2026 to HCA to develop a waiver application. Any unexpended or unencumbered balance remaining at the end of the fiscal year 2026 shall revert to the general fund. The appropriation is only for the development of the waiver and does not include costs associated with the administration of the waiver program.

**SIGNIFICANT ISSUES**

SB558 would provide home-based services to adults aged 65 years or older who are diagnosed with a chronic, debilitating disease regardless of **income-eligibility**. This waiver program would, therefore, provide similar support as is currently provided by New Mexico’s other Home and Community based waiver programs such as Mi Via, Medically Fragile, and Developmental Disabilities Waivers. There are approximately 270,000 informal caregivers in New Mexico.<sup>1</sup> SB558 would provide additional support to many of those caregivers regardless of income.

HCA administers the existing Medicaid Home and Community-Based Waiver Program, which should be evaluated for potential overlap.

**PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

---

<sup>1</sup> <https://www.caregiver.org/research-policy/state-caregiving-profiles/>.

The bill specifies that the HCA would submit an application for program consideration to CMS. If the bill is approved and if the waiver program is implemented, a detailed plan of the program administration responsibilities should be detailed. Based on the estimated applicant volume, program administration considerations including staffing, public communication of the program, methods of addressing questions, assisting with applications, etc. should be developed. Furthermore, if the waiver program receives federal approval, the rule-making, as stated in the bill, would be subject to the availability of state funds. This will be a hurdle in the viability of this waiver program.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Inadequate health care and additional strains on the current care delivery systems, including emergency rooms and urgent care sites, are consequences of not enacting SB558. Also, the strain on informal caregivers would not be lessened. Home-Based Health Care for seniors with chronic, debilitating diseases can provide these seniors with an opportunity to age with independence, at home in a manner that may improve their quality of life. Increased mortality rates due to insufficient chronic condition management is a consequence. Missed opportunities to identify, support, and educate individuals with chronic conditions on successful care plan options is another consequence.

## **AMENDMENTS**