

MINUTES
of the
EIGHTH MEETING
of the
LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

November 19-22, 2024
State Capitol, Room 307
Santa Fe

The eighth meeting of the Legislative Health and Human Services Committee (LHHS) was called to order by Senator Gerald Ortiz y Pino, chair, on Tuesday, November 19, 2024, at 9:04 a.m. in Room 307 of the State Capitol in Santa Fe.

Present

Sen. Gerald Ortiz y Pino, Chair
Rep. Elizabeth "Liz" Thomson, Vice Chair
Rep. Eleanor Chávez
Rep. Pamelya Herndon
Sen. Martin Hickey (11/19)
Rep. Jenifer Jones (11/20, 11/21, 11/22)
Sen. Antoinette Sedillo Lopez (11/19, 11/20, 11/21)

Absent

Sen. David M. Gallegos

Advisory Members

Rep. John Block (11/19, 11/20)
Rep. Kathleen Cates
Rep. Gail Chasey
Rep. Joanne J. Ferrary
Rep. Miguel P. García (11/20, 11/22)
Sen. Linda M. López
Rep. Tara L. Lujan (11/20)
Rep. Alan T. Martinez
Sen. Shannon D. Pinto
Sen. Harold Pope
Sen. Elizabeth "Liz" Stefanics

Sen. Katy M. Duhigg
Sen. Siah Correa Hemphill
Rep. Tara Jaramillo
Rep. D. Wonda Johnson
Rep. Stefani Lord
Rep. Cristina Parajón
Sen. Nancy Rodriguez
Rep. Patricia Roybal Caballero
Sen. Gregg Schmedes
Rep. Reena Szczepanski
Sen. Bill Tallman
Rep. Harlan Vincent

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Zander Dawson, Staff Attorney, Legislative Council Service (LCS)
Andrea Lazarow, Bill Drafter, LCS
Grace Balderamos, Staff, LCS

Minutes Approval

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Tuesday, November 19

Welcome and Introductions (9:04 a.m.)

Senator Ortiz y Pino welcomed everyone to the meeting. Committee members and staff introduced themselves.

New Mexico Justice Reinvestment Initiative Working Group: Summary of Findings and Recommendations (9:09 a.m.)

Colleen Bogonovich, senior policy specialist, Crime and Justice Institute, and Melanie Pitkin, policy specialist, Crime and Justice Institute, explained that insufficient services for behavioral health and addiction in New Mexico divert law enforcement resources away from public safety threats, and they provided recommendations for reducing recidivism and shifting resources to improve public health responses and public safety. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=1>.

Legislative Finance Committee (LFC) Report: Developmental Disabilities Waiver (DD Waiver) Program (10:09 a.m.)

Sarah Dinces, Ph.D., program evaluator, LFC, and Drew Weaver, program evaluator, LFC, provided a follow-up to an LFC evaluation conducted in 2018 on the cost-effectiveness of the DD Waiver and Mi Via Self-Directed Waiver programs. In fiscal year 2024, it cost almost \$800 million to provide waivers to approximately 7,849 New Mexicans. As waiver costs increase, the number of new waiver recipients is limited. Dr. Dinces and Mr. Weaver offered recommendations to the legislature and the Developmental Disabilities Supports Division of the Health Care Authority (HCA) and the Health Improvement Division of the HCA. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=2>.

Public Comment (11:36 a.m.)

A list of individuals who made public comment is available in the meeting file.

Council of State Governments Youth Justice Summit (12:18 p.m.)

Nina Salomon, Council of State Governments Justice Center, and Christina Gilbert, Council of State Governments Justice Center, provided a presentation about the Councils of State Governments Youth Justice Summit, which is a conference that examines recidivism trends and advocates for youth and families affected by the juvenile justice system. The summit's mission is to decrease juvenile incarceration and increase public safety. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=3>.

Health Care Workforce Growth Plan (1:13 p.m.)

Michael Richards, M.D., M.P.H., interim executive vice president for health sciences, University of New Mexico (UNM) Health Sciences, and chief executive officer (CEO), UNM Health System; Patricia W. Finn, M.D., dean, UNM School of Medicine; and Garnett Stokes, Ph.D., president, UNM, provided a presentation about UNM's role in expanding the health care workforce in New Mexico. They discussed the growth of inpatient and outpatient care in the UNM health system and noted that the UNM School of Medicine needs new facilities. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=4>.

LFC Report: Behavioral Health Gaps (2:32 p.m.)

Eric Chenier, principal analyst, LFC, discussed the state's trends in spending on behavioral health care and substance use treatment. He presented data on grants for behavioral health care in various New Mexico counties and discussed local behavioral health collaboratives. Mr. Chenier provided information about federal grant funding and highlighted the growth of Medicaid spending on behavioral health services. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=5>.

LFC Report: Prescription Drug Pricing Data (3:18 p.m.)

RubyAnn Esquibel, principal analyst, LFC, explained fiscal impacts of rising pharmaceutical costs and presented Medicaid pharmaceutical cost data. Pharmacy costs for Medicaid in New Mexico have increased. Ms. Esquibel noted that medical prescription costs are increasing more quickly than point-of-sale prescription costs. She reviewed laws that other states have passed to try to lower prescription drug costs. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=6>.

Public Comment (4:21 p.m.)

A list of individuals who made public comment is available in the meeting file.

Recess

The meeting recessed at 4:30 p.m.

Wednesday, November 20**Reconvene**

The meeting reconvened at 9:17 a.m.

Opioid Settlement and Affordable Housing (9:19 a.m.)

Barbara Bencomo, chief administrative officer, City of Las Cruces; Shauna Hartley, L.C.S.W., consultant, The Opioid Remediation Collaborative; Stanford Kemp, deputy director, Behavioral Health and Wellness Division, City of Albuquerque; and Wayne Lindstrom, deputy county manager, Behavioral Health, Bernalillo County, provided an update on opioid settlement funds in Bernalillo County, the City of Albuquerque, the City of Las Cruces and Dona Ana County. They provided information about the Opioid Remediation Collaborative of New Mexico, which is composed of Cibola, Valencia, Guadalupe, Catron, Socorro, Sierra and Hidalgo counties. Maria Griego, director, Economic Equity, New Mexico Center on Law and Poverty, provided a presentation about preserving affordable housing and ensuring stability for residents of manufactured home communities. She described the Mobile Home Park Act and highlighted the challenges faced by people who live in mobile homes. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=7>.

Update: New Mexico Medical Board (NMMB) (12:28 p.m.)

Karen Carson, M.D., chair, NMMB, and Monique Parks, interim executive director, NMMB, described the NMMB's mission and presented licensing statistics. They reviewed application processing times and procedures, explained the board's complaint investigation process and described telehealth and telemedicine in the state. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=8>.

The Path Forward: Data-Informed Recommendations for Improving Behavioral Health Outcomes in New Mexico (1:24 p.m.)

Jorie Koster-Hale, CEO, Falling Colors; Kyle Kleisinger, public health data analyst, Falling Colors; and Sam Wolf, chief operating officer and general counsel, Falling Colors, shared information about Falling Colors' data collection and financial processing systems. They compared the models and roles of managed care and administrative services organizations. The

panel recommended that the legislature pilot a comprehensive, interagency behavioral health report and dashboard for effective data analysis. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=9>.

New Mexico Medical Society (NMMS) Legislative Priorities (2:43 p.m.)

Angelina Villas-Adams, M.D., president, NMMS, and Carrie Robin Brunder, lobbyist, NMMS, described challenges faced by physicians who practice medicine in New Mexico. According to the Workforce Solutions Department, in April 2024, there were 2,200 posted job openings in New Mexico for physicians. Dr. Villas-Adams and Ms. Brunder noted that, while major costs of independent practice are not recognized in payment structures, health care provided by independent practitioners is more cost-efficient than hospital care. They recommended the creation of a permanent trust fund for Medicaid. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=10>.

Study Summary: Financial Support for Rural Hospitals: Actionable Recommendations (3:57 p.m.)

Sam Howarth, Ph.D., consultant, presented his findings and recommendations from a research report he conducted for the LHHS regarding how the legislative and executive branches can ensure the fiscal stability of rural hospitals in New Mexico. His recommendations were to provide stopgap funding to the state's neediest rural hospitals, develop a health care planning collaborative within the HCA, develop a health collaborative work team within the HCA and ensure that the HCA receives enough funding to carry out the recommendations. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=11>.

Public Comment

There was no public comment.

Recess

The meeting recessed at 4:20 p.m.

Thursday, November 21

Reconvene

The meeting reconvened at 9:17 a.m.

Licensing Portability (9:18 a.m.)

Kelsie George, M.P.P., senior policy specialist, Health Program, National Conference of State Legislatures (NCSL), and Razan Badr, policy analyst, Health Program, NCSL, provided a

presentation about health care professional licensure portability. They explained models of interstate licensure compacts, discussed licensure reciprocity and endorsement and reviewed implications of universal licensure. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=12>.

Dental Health (10:13 a.m.)

Tom Schripsema, D.D.S., executive director, New Mexico Dental Association; Christine Nathe, R.D.H., M.S., professor and director, Division of Dental Hygiene, and vice chair, Department of Dental Medicine, UNM; and Henry Chu, D.D.S., P.A., associate professor and director, Special Care Clinic, Department of Dental Medicine, UNM, provided an update on UNM's dental residency and dental hygiene program. They provided information about Touro College of Dental Medicine's Albuquerque clinic that will open in May 2025. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=13>.

National Student Speech Language Hearing Association (NSSLHA) (12:05 p.m.)

Adrienne McElroy-Bratcher, SLP.D., co-advisor, NSSLHA, and professor, Communicative Disorders, Department of Health and Human Services, Eastern New Mexico University, provided an overview of the NSSLHA, which is a student organization for pre-professional students who want to study communication sciences and disorders. Dr. McElroy-Bratcher outlined the licensure, scope of practice, education and supervision responsibilities of speech-language pathology assistants in New Mexico. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=14>.

Public Comment (12:31 p.m.)

A list of individuals who made public comment is available in the meeting file.

Health Care Cost Drivers (1:02 p.m.)

Michael Gusmano, Ph.D., professor, College of Health, and associate dean for academic programs, Lehigh University, provided an overview of hospital costs throughout the country. Donna Kinzer, consultant, Kinzer Consulting, and former executive director, Maryland Health Services Cost Review Commission, provided information about Maryland's global hospital payments model. Dorothy Moller, health policy consultant, DMoller Associates, provided a presentation on rural health care networking and resource sharing. Miriam Laugesen, Ph.D., associate professor, Department of Health Policy and Management, Mailman School of Public Health, Columbia University, provided examples of how hospital payment and accountability systems can be simplified. Gabriel R. Sanchez, Ph.D., professor, Political Science Department, and executive director, Center for Social Policy, UNM, explained how surveys and focus groups can be used to support hospital cost reform. Suzan Reagan, senior program manager, Bureau of

Business and Economic Research, UNM, and Kramer Winingham, Ph.D., program director, Arrowhead Center, New Mexico State University, emphasized the need for the creation of a state health expenditure database because not all expenditures are included in the state's all-payer claims database. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=15>.

Prison Rape Elimination Act (PREA) Task Force Recommendations (3:21 p.m.)

Representative Chasey; Senator Pope; Roman Varela, M.B.A., administrator, PREA, Bernalillo County Metropolitan Detention Center; and Alexandria Taylor, M.P.A., L.M.S.W., executive director, New Mexico Coalition of Sexual Assault Programs, described the upcoming report of findings and recommendations by the PREA Task Force that was created pursuant to House Memorial 40 (2023) and House Memorial 45 (2024) regarding New Mexico's compliance with the federal PREA of 2003.

Recess

The meeting recessed at 3:57 p.m.

Friday, November 22

Reconvene

The meeting reconvened at 9:08 a.m.

Update: Office of Superintendent of Insurance (OSI) (9:10 a.m.)

Senator Duhigg; Representative Szczepanski; Alice T. Kane, superintendent of insurance, OSI; and Jane Wishner, health policy consultant, discussed the background and objectives of the Health Care Consolidation Oversight Act. They proposed legislation for the 2025 legislative session to address policy issues regarding enforcement and penalties. Viara Ianakieva, director, Life and Health Division, OSI, and Alejandro Amparan, director, Pharmacy Benefits Management and Drug Compliance, OSI, discussed the implementation of the Prescription Drug Price Transparency Act, pharmacy benefits management reporting requirements and insurance coverage for mental health care. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=17>.

Report: Senate Memorial 5 Task Force (SM5 Task Force) (11:51 a.m.)

Senator López, chair, SM5 Task Force, and Rachel Mercer Garcia, principal analyst, LFC, provided an update on potential recommendations of the SM5 Task Force, which was created pursuant to Senate Memorial 5 (2024) to restructure the Children, Youth and Families Department. The task force will present its findings and recommendations to the legislature and the governor during the 2025 legislative session. Topics addressed will include compliance,

oversight, access to services, prevention and early intervention programs, juvenile justice and the department's workforce. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=19>.

Public Comment (12:27 p.m.)

A list of individuals who made public comment is available in the meeting file.

Approval of Minutes (12:55 p.m.)

Upon a motion made and without any objections, the committee approved the minutes of the October 21-24, 2024 meeting.

Youth Risk and Resiliency Survey Update (1:07 p.m.)

José A. Acosta M.D., M.B.A., M.P.H., director, Public Health Division, Department of Health (DOH); Dylan Pell, M.P.H., mental health epidemiologist, DOH; and Josh Swatek, policy manager, Policy and Communications Division, DOH, provided a presentation on New Mexico's results of the 2023 edition of the Youth Risk and Resiliency Survey, which is administered biennially to public school students in middle school and high school by the federal Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance System. Survey findings included decreases in suicide attempts and feelings of sadness and hopelessness compared to 2021 survey results and decreases in vaping, cannabis use and prescription opioid misuse compared to 2019 survey results. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/19/2024&ItemNumber=20>.

Consideration of Legislation for Endorsement (1:53 p.m.)

Committee members discussed legislation for endorsement. The endorsed legislation can be found here:

https://www.nmlegis.gov/Committee/endorsed_legislation?CommitteeCode=LHHS&Year=2025.

Adjournment

There being no further business before the committee, the meeting adjourned at 3:19 p.m.