

**MINUTES  
of the  
SEVENTH MEETING  
of the  
LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE**

**November 28-30, 2022  
State Capitol, Room 322  
Santa Fe**

The seventh meeting of the Legislative Health and Human Services Committee was called to order by Representative Christine Trujillo, chair, on November 28, 2022 at 9:00 a.m. in Room 322 of the State Capitol in Santa Fe.

**Present**

Rep. Christine Trujillo, Chair  
Sen. Gerald Ortiz y Pino, Vice Chair  
Rep. Joanne J. Ferrary (11/28)  
Sen. Martin Hickey  
Sen. Antoinette Sedillo Lopez  
Rep. Elizabeth "Liz" Thomson

**Absent**

Rep. Gail Armstrong  
Sen. David M. Gallegos

**Advisory Members**

Rep. Gail Chasey  
Rep. Miguel P. Garcia (11/28)  
Sen. Siah Correa Hemphill (11/29, 11/30)  
Sen. Linda M. Lopez (11/28, 11/30)  
Rep. Tara L. Lujan (11/28)  
Rep. Marian Matthews (11/29)  
Sen. Shannon D. Pinto (11/28)  
Sen. Nancy Rodriguez (11/28, 11/29)  
Sen. Elizabeth "Liz" Stefanics (11/28)

Rep. Phelps Anderson  
Rep. Karen C. Bash  
Rep. Rachel A. Black  
Rep. Micaela Lara Cadena  
Rep. Rebecca Dow  
Sen. Katy M. Duhigg  
Rep. Kelly K. Fajardo  
Rep. D. Wonda Johnson  
Rep. Roger E. Montoya  
Rep. Patricia Roybal Caballero  
Sen. Gregg Schmedes  
Sen. Bill Tallman

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

**Staff**

Andrea Lazarow, Bill Drafter, Legislative Council Service (LCS)  
Zander Dawson, Staff Attorney, LCS  
Cristina Vasquez, Staff Attorney, LCS  
Grace Balderamos, Staff, LCS  
Hexuan Li, Intern, 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 are 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](http://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.

## **Monday, November 28**

### **Welcome and Introductions (9:00 a.m.)**

Representative Trujillo welcomed everyone to the meeting, and members of the committee and staff introduced themselves.

### **Social Work Task Force (9:07 a.m.)**

Alvin L. Sallee, A.C.S.W., L.I.S.W., chair, Social Work Task Force, and professor emeritus, New Mexico State University; Katharine Briar-Lawson, Ph.D., M.S.W., dean emeritus and professor, State University of New York at Albany; and Eli Fresquez, L.I.S.W., L.C.S.W., Ph.D., first chair, Board of Social Work Examiners, Social Work Task Force, discussed the 2022 findings of the task force and gave recommendations for legislative action. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=1>.

### **Harm Reduction Program: Update (10:01 a.m.)**

Joshua Swatek, program manager, Harm Reduction Program, Public Health Division, Department of Health (DOH), and Aryan Showers, director, Office of Policy and Accountability, DOH, presented on the current harm reduction, prevention and intervention services offered by the DOH and the need to expand these programs. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%20%20Harm%20Reduction.pdf>.

**Brain Injury Alliance of New Mexico (BIANM) (10:28 a.m.)**

Mark Pedrotty, Ph.D., BIANM; Margot Feldvebel, L.C.S.W., BIANM; and Austin Davis, M.D., University of New Mexico (UNM) School of Medicine, spoke about brain injury and the need for comprehensive post-acute care systems for brain injury patients in New Mexico. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%203%20Brain%20Injury%20Alliance.pdf>.

**Cerebral Cavernous Malformations (11:02 a.m.)**

Michel Torbey, M.D., chair, Department of Neurology, UNM Health Sciences Center, and Christina Campos, administrator, Guadalupe County Hospital, discussed cerebral cavernous malformations and gave recommendations to the committee to make testing more widely available and to create an outreach program to educate the public and the medical community on the condition. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%204%20Cerebral%20Cavernous%20Malformations.pdf>.

**Public Comment (12:13 p.m.)**

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

**Medication-Assisted Treatment in the Community (1:23 p.m.)**

Eric Ketcham, M.D., M.B.A., F.A.C.E.P., F.A.S.A.M., F.A.C.H.E., F.A.A.E.M., medical director, New Mexico Treatment Services, LLC, discussed opioid treatments and recommendations for statutory changes in the law that would make opioid treatment more accessible for people in rural communities by allowing nurses to administer the treatment. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%205%20MAT%20in%20Community.pdf>.

**Medication-Assisted Treatment in Prison (2:01 p.m.)**

Sergio Huerta, M.D., medical director, Recovery Services of New Mexico, presented on the success of medication-assisted treatment (MAT) programs and gave recommendations to the committee to increase access to MAT programs for individuals being held in prisons and jails by using opioid settlement funds. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%206%20MAT%20in%20Prison.pdf>.

**Children, Youth and Families Department (CYFD): Update (2:35 p.m.)**

Barbara J. Vigil, secretary, CYFD; Beth Gilia, deputy secretary, CYFD; Emily Martin, director, Protective Services Division, CYFD; Bryce Pittenger, L.P.C.C., chief executive officer

(CEO), Interagency Behavioral Health Purchasing Collaborative, Human Services Department (HSD); and Angela Medrano, deputy secretary, HSD, gave an update on the CYFD's implementation of the *Kevin S.* settlement. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=7>.

#### **Approval of Minutes (4:01 p.m.)**

Upon a motion made and duly seconded, and without any objections, the committee approved the minutes of the October 31-November 2, 2022 meeting.

#### **Recess**

The meeting recessed at 4:02 p.m.

#### **Tuesday, November 29**

#### **Reconvene**

The meeting reconvened at 9:09 a.m.

#### **Acupuncture (9:10 a.m.)**

Yvette Arellano, D.O.M., L.M.T., vice president and chair, Legislative and Public Relations, New Mexico Society for Acupuncture and Asian Medicine, spoke about the benefits of acupuncture and gave recommendations to expand Medicaid coverage to include acupuncture. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=8>.

#### **Nurse Anesthetists (9:46 a.m.)**

Shannon Allen, D.N.A.P., C.R.N.A., president, Board of Directors, New Mexico Association of Nurse Anesthetists, and Kristine Punohu, D.N.A.P., C.R.N.A., discussed the Nursing Practice Act and the barriers that act creates for certified registered nurse anesthetists to practice independently. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%209%20NMANA.pdf>.

#### **Task Force Report: Unification of New Mexico Prisons and Jails (10:08 a.m.)**

Celeste Gander, policy specialist, Crime and Justice Institute (CJI); Jessie Halladay, senior policy analyst, CJI; Grace Philips, general counsel, New Mexico Counties; Linda Freeman, executive director, New Mexico Sentencing Commission; and Justin Porter, administrator, Chaves County Detention Center, reported on the task force's 2022 findings and gave recommendations to the committee on how to start the process of unifying the prison and jail systems in New Mexico. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=10>.

**Kevin S. Update (10:52 a.m.)**

Gary Housepian, CEO, Disability Rights New Mexico; Sara Crecca, attorney, Crecca Law Firm and Pegasus Legal Services for Children; and Bette Fleishman, attorney, Pegasus Legal Services for Children, gave a plaintiff attorney's update on the implementation of the *Kevin S.* settlement and a brief overview of the 2021 Co-Neutrals' Annual Report. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=11>.

**Medical Malpractice A (1:12 p.m.)**

Representative Daymon Ely; Kathy Love, attorney, McGinn, Montoya, Love and Curry, LLC; and Ezra Spitzer spoke about their personal experiences involving medical malpractice, the 2021 passage and implementation of House Bill (HB) 75 and the shortcomings of the Patient's Compensation Fund. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%2012%20Patient%20Centered.pdf>.

**Medical Malpractice B (1:43 p.m.)**

Nick Autio, general counsel, New Mexico Medical Society (NMMS); Troy Clark, president and CEO, New Mexico Hospital Association; Annie Jung, executive director, NMMS; Todd Williams, M.D., president-elect, NMMS; and Ms. Campos presented on the negative financial impact that HB 75 (2021) has had on medical providers and gave recommendations for mitigating the impact by amending the Medical Malpractice Act. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=12>.

**Alcohol Use in New Mexico (2:15 p.m.)**

Laura Tomedi, Ph.D., M.P.H., assistant professor, College of Population Health, UNM Health Sciences Center, discussed excessive alcohol consumption in New Mexico and gave recommendations to the committee to implement public health measures to reduce the harm and cost of excessive alcohol consumption. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%2013%20NM%20Alcohol.pdf>.

**Medical Debt Issues for Low-Income and Uninsured Patients (2:35 p.m.)**

Nicolas Cordova, healthcare director, New Mexico Center on Law and Poverty (NMCLP); Fred Hyde, M.D., Fred Hyde and Associates, Inc.; Cholla Khoury, chief deputy attorney general, Civil Affairs, Office of the Attorney General; and Mr. Clark provided an overview of medical debt issues for low-income and uninsured patients. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=14>.

**Medicaid Forward (3:03 p.m.)**

Mr. Cordova; Lan Sena, policy director, Center for Civic Policy; and Juliana Hernandez, organizer, Strong Families New Mexico, proposed that the legislature implement a plan that would raise Medicaid income caps, allow for New Mexicans to purchase Medicaid plans and use the federal match rate revenue to increase reimbursement rates for providers. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%2015%20Medicaid%20Forward.pdf>.

**Public Comment (3:27 p.m.)**

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

**Recess**

The meeting recessed at 4:51 p.m.

**Wednesday, November 30****Reconvene**

The meeting reconvened at 9:29 a.m.

**Temporary Assistance for Needy Families (TANF) (9:29 a.m.)**

Teague González, public benefits director, NMCLP, and Arika Sánchez, director, Policy and Advocacy, New Mexico Child Advocacy Networks, provided an overview of the TANF program and gave recommendations to make TANF more accessible to New Mexican families. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2022&ItemNumber=16>.

**Behavioral Health Parity (10:27 a.m.)**

Senator Hickey, M.D., presented on behavioral health parity and proposed legislation to increase quality of care. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%2017%20Mental%20Health%20Parity.pdf>.

**J. Paul Taylor Early Childhood Task Force: Recommendations (11:02 a.m.)**

Andrew C. Hsi, M.D., professor emeritus, Pediatrics, UNM Health Sciences Center; Susan Merrill, L.C.S.W., liaison, Social and Community Services for Children and Youth with Special Health Care Needs, DOH; and Nicholas Sharp, M.P.H., epidemiologist/evaluator, Maternal Child Health Epidemiology Program, Public Health Division, DOH, discussed the task force's 2022 findings and gave the committee legislative recommendations. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112822%20Item%2018%20Early%20Childhood%20Task%20Force.pdf>.

**Review of 2023 Legislation for Committee Endorsement (1:00 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=2023](https://www.nmlegis.gov/Committee/endorsed_legislation?CommitteeCode=LHHS&Year=2023).

**Adjournment**

There being no further business before the committee, the meeting adjourned at 1:37 p.m.