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HOUSE BILL 302

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Danice R. Picraux

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO PRESCRIPTION DRUGS; PROVIDING A PRESCRIPTION DRUG  
BENEFIT TO NEW MEXICO SENIORS; AMENDING AND ENACTING SECTIONS  
OF THE NMSA 1978; MAKING AN APPROPRIATION.

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

Section 1. Section 10-7C-5 NMSA 1978 (being Laws 1990,  
Chapter 6, Section 5) is amended to read:

"10-7C-5. AUTHORITY CREATED. --

A. There is created the "retiree health care  
authority" which is established to provide for comprehensive  
group health insurance programs under the Retiree Health Care  
Act. The authority shall be administratively attached to the  
public school insurance authority until December 31, 1993.

The [executive] director of the public school insurance  
authority shall be the executive director of the retiree

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1 health care authority until December 31, 1993. The board  
2 created by Section [~~6 of the Retiree Health Care Act~~] 10-7C-6  
3 NMSA 1978 shall remain fully independent of the board of the  
4 public school insurance authority.

5 B. The authority shall also administer the senior  
6 prescription drug program in conjunction with or through the  
7 consolidated purchasing process pursuant to the Health Care  
8 Purchasing Act. "

9 Section 2. A new section of the Retiree Health Care Act  
10 is enacted to read:

11 "[NEW MATERIAL] CREATION OF SENIOR PRESCRIPTION DRUG  
12 PROGRAM --

13 A. The "senior prescription drug program" is  
14 created in the authority.

15 B. To be eligible for the senior prescription drug  
16 program, a person shall:

17 (1) be a resident of the state;  
18 (2) be sixty-five years of age or older; and  
19 (3) not have any other prescription drug  
20 benefit.

21 C. Upon a determination that the person qualifies  
22 for the senior prescription drug program, the authority shall  
23 collect an enrollment fee not to exceed sixty dollars (\$60.00)  
24 per year. The authority shall collect the enrollment fees,  
25 and the enrollment fees shall be used by the authority to

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1 cover the cost of administering the program.

2 D. The amount a qualified person pays for a  
3 prescription drug shall not exceed the total cost of the  
4 dispensing fee plus the discounted price made available to or  
5 negotiated by the authority.

6 E. The authority shall provide general information  
7 to the public about the availability of the senior  
8 prescription drug program.

9 F. The "senior prescription drug program fund" is  
10 created. The fund shall consist of enrollment fees collected  
11 pursuant to Subsection C of this section, and shall be used by  
12 the authority to administer the senior prescription drug  
13 program. The authority shall adjust the enrollment fee to  
14 reflect the cost of administering the program but shall not  
15 exceed the amount provided for in Subsection C of this  
16 section. Any unexpended or unencumbered balance remaining at  
17 the end of a fiscal year shall not revert to the general  
18 fund. "