

AN ACT

RELATING TO MEDICAID; CREATING A JOINT INTERIM LEGISLATIVE
MEDICAID REFORM COMMITTEE; MAKING AN APPROPRIATION;
DECLARING AN EMERGENCY.

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

Section 1. TEMPORARY PROVISION--MEDICAID REFORM
COMMITTEE CREATED.--There is created a joint interim
legislative committee that shall be known as the "medicaid
reform committee". The committee shall function from the
date of its appointment until the first day of December
prior to the first session of the forty-sixth legislature.

Section 2. TEMPORARY PROVISION--MEMBERSHIP--ADVISORY
MEMBERS--APPOINTMENT--VACANCIES.--

A. The medicaid reform committee shall be
composed of twelve members. Six members of the house of
representatives shall be appointed by the speaker of the
house of representatives and six members of the senate shall
be appointed by the committees' committee of the senate or,
if the appointments are made in the interim, by the
president pro tempore of the senate after consultation with
and agreement of a majority of the members of the
committees' committee.

B. Members of the medicaid reform committee shall
be appointed from each house so as to give the two major

political parties in each house the same proportional representation on the committee as prevails in each house; however, in no event shall either party have less than one member from each house on the committee. Vacancies on the committee shall be filled by appointment in the same manner as the original appointments. The chairman and vice chairman of the committee shall be elected by the committee.

C. An eighteen-member medicaid advisory group comprised of experts in medicaid or health care shall assist and advise the medicaid reform committee. The governor, the speaker of the house of representatives and the president pro tempore of the senate shall each appoint six members to the medicaid advisory group. The governor, the speaker and the president pro tempore shall coordinate their appointments to ensure representation from the following groups: health care and legal consumer advocates; community-based providers; mental and behavioral health providers; health care information management organizations; health care financial management organizations; health care payers and insurers; hospitals and other institutional providers; and physicians, nurses and other health care professionals.

D. No action shall be taken by the committee if a majority of the total membership from either house on the committee rejects such action.

Section 3. TEMPORARY PROVISION--DUTIES.--

A. After its appointment, the medicaid reform committee shall hold one organizational meeting to develop a work plan and budget for the ensuing interim.

B. In developing the work plan, the medicaid reform committee shall take into consideration current resources and projected needs for the state medicaid program's services, delivery, funding and policy, including:

(1) the current operating structure of the medicaid programs in New Mexico;

(2) the level of oversight authority necessary for the medicaid-related divisions of the human services department and health care payer and provider contractors under the medicaid program;

(3) the operational structure of the state medicaid program, with respect to how policy and fiscal determinations are made;

(4) the concerns and recommendations regarding the operation of the medicaid program made by other interim legislative committees, consumer advocates, health care providers, health care payers or their respective organizations;

(5) the allocation of health care costs and funding sources to avoid or eliminate unnecessary cost-shifting;

(6) the geographic distribution of health care professionals, resources and programs in the state medicaid program and of public-private partnerships to address health care access, delivery and funding issues that are problematic for both employers and employees; and

(7) the available federal, state and local sources of funding for the state medicaid program.

C. The medicaid reform committee shall solicit public input.

D. The work plan and budget shall be submitted to the New Mexico legislative council for approval. Upon approval of the work plan and budget by the council, the medicaid reform committee shall examine the statutes, constitutional provisions, regulations and court decisions governing the state medicaid program and related health care programs and services and recommend legislation or changes.

Section 4. TEMPORARY PROVISION--SUBCOMMITTEES.--

Subcommittees shall be created only by majority vote of all members appointed to the medicaid reform committee and with the prior approval of the New Mexico legislative council. A subcommittee shall be composed of at least one member from the senate and one member from the house of representatives, and at least one member of the minority party shall be a member of the subcommittee. All meetings and expenditures of a subcommittee shall be approved by the full committee in

advance of such meeting or expenditure, and the approval shall be shown in the minutes of the committee.

Section 5. TEMPORARY PROVISION--REPORT.--The medicaid reform committee shall make a report of its findings and recommendations for the consideration of the legislature. The report and suggested legislation shall be made available to the New Mexico legislative council by December 15 preceding the first session of the forty-sixth legislature.

Section 6. TEMPORARY PROVISION--STAFF.--The staff for the medicaid reform committee shall be provided by the legislative council service.

Section 7. APPROPRIATION.--Two hundred fifty thousand dollars (\$250,000) is appropriated from legislative council service cash balances to the legislative council service for expenditure in fiscal years 2002 and 2003 to pay for technical and legal assistance and for necessary equipment and supplies used in carrying out the provisions of this act and for reimbursing the per diem and mileage expenses of the committee. Any unexpended or unencumbered balance remaining at the end of fiscal year 2003 shall revert to the legislative council service cash balances. Payments from the appropriation shall be made upon vouchers signed by the director of the legislative council service or his authorized representative.

Section 8. EMERGENCY.--It is necessary for the public

peace, health and safety that this act take effect
immediately. _____

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