

AN ACT

RELATING TO NATIVE AMERICAN HEALTH CARE; PROVIDING FOR
CREATION OF THE BERNALILLO COUNTY OFF-RESERVATION NATIVE
AMERICAN HEALTH COMMISSION.

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

Section 1. SHORT TITLE.--This act may be cited as the
"Bernalillo County Off-Reservation Native American Health
Commission Act".

Section 2. DEFINITIONS.--As used in the Bernalillo
County Off-Reservation Native American Health Commission Act:

A. "commission" means the off-reservation Native
American health commission;

B. "department" means the department of health;

C. "New Mexico tribe" means an Indian nation,
tribe or pueblo located within New Mexico;

D. "off-reservation Native American" means a
member of a federally recognized tribe or an Alaskan native
who lives in an off-reservation urban area and is a resident;

E. "off-reservation nonprofit organization" means
a corporate nonprofit entity that provides research, advocacy
or health care services for the purpose of improving health
care services or the overall health of Native Americans who
are not living on reservations or pueblos;

F. "off-reservation urban area" means an area of

land that is within Bernalillo county but not under the jurisdiction of a New Mexico tribe;

G. "resident" means a person who lives in and is domiciled in New Mexico; and

H. "secretary" means the secretary of health.

Section 3. BERNALILLO COUNTY OFF-RESERVATION NATIVE AMERICAN HEALTH COMMISSION CREATED--MEMBERSHIP.--

A. The board of county commissioners of Bernalillo county may create the "Bernalillo county off-reservation Native American health commission" and appoint nine commission members for staggered three-year terms after soliciting nominations for its membership from appropriate off-reservation nonprofit organizations in Bernalillo county.

B. The board of county commissioners may agree to appoint the commission's members to include:

(1) someone who manages the Indian health service's Albuquerque-area urban Indian health program;

(2) someone experienced in the delivery of off-reservation Native American health care services in Bernalillo county;

(3) the tribal liaison for the department;

(4) two members who are members of a New Mexico tribe and have a background in providing or advocating for off-reservation Native American health care;

(5) three members who are members of a non-

New Mexico tribe and have a background in providing or advocating for off-reservation Native American health care; and

(6) one member of the Bernalillo county community health council.

C. Upon approval by the board of county commissioners, the commission shall meet at least four times a year, elect its own chair for a term not to exceed three years and be paid as provided in the Per Diem and Mileage Act.

Section 4. GOALS.--The goals of the commission may include:

A. within two years of being named, creation of an initial off-reservation Native American health care plan that includes:

(1) an estimate of the number and tribal affiliation of Native Americans living in the off-reservation urban area;

(2) an inventory of sources of non-emergency health care for off-reservation Native Americans, identifying federal, state and local public resources, tribal facilities and program duplications;

(3) a cross-jurisdictional budget analysis compiled from the most current annual figures reported by state and county facilities demonstrating the amount of health care funding for off-reservation Native Americans available to

the existing non-emergency facilities;

(4) recommendations to eliminate duplications of services, improve access, initiate new services and consolidate non-emergency health care budgets for off-reservation Native Americans; and

(5) a comprehensive set of recommendations for redesigning the system of non-emergency health care available to off-reservation Native Americans;

B. within three years of being named, presentation of a plan for permanent restructuring of state and local budgets and services for off-reservation Native American health care to the legislature along with proposed legislation for that restructuring that addresses:

(1) financing for persons not eligible for medicaid;

(2) estimated costs or savings to the state from off-reservation Native Americans receiving medicaid;

(3) ways to enhance use of preventive care;

(4) nonresidential substance abuse treatment;

(5) residential treatment for substance abuse withdrawal;

(6) coordination of health care facilities with transportation services; and

(7) domestic violence and suicide prevention

programs; and

C. a set of recommendations to the secretary on projects and programs that fall within the parameters of the initial off-reservation Native American health care plan and the permanent restructuring plans as funding becomes available.

Section 5. OFF-RESERVATION NATIVE AMERICAN HEALTH CARE PLAN IMPLEMENTATION.--

A. The secretary may contract for services as recommended by the commission, unless the secretary enters an objection with the commission, detailing reasons why recommended services are not in keeping with the initial off-reservation Native American health care plan or the permanent restructuring plan.

B. Nothing in the Bernalillo County Off-Reservation Native American Health Commission Act shall prohibit the department from contracting for categories of off-reservation Native American health care services prior to its effective date or for services it deems essential for public health.

Section 6. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008. _____