

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
SENATE BILL 216

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

AN ACT

RELATING TO PUBLIC ASSISTANCE; REQUIRING THE DEPARTMENT OF  
HEALTH TO PROVIDE AN ANNUAL REPORT ON THE DEVELOPMENTAL  
DISABILITIES MEDICAID HOME- AND COMMUNITY-BASED WAIVER PROGRAM.

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

**SECTION 1.** ~~[NEW MATERIAL]~~ DEVELOPMENTAL DISABILITIES--  
MEDICAID HOME- AND COMMUNITY-BASED SUPPORTS AND SERVICES--  
ANNUAL REPORT WITH FIVE-YEAR COST PROJECTIONS.--

A. By October 1, 2015 and by October 1 of each year  
thereafter, the department of health shall provide a report to  
the legislative finance committee and the legislative health  
and human services committee on the supports and services  
provided pursuant to the developmental disabilities medicaid  
home- and community-based waiver program. The report shall  
include:

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underscored material = new  
[bracketed material] = delete

1 (1) for each of the five most recent state  
2 fiscal years, the number of individuals who:

3 (a) were served in the developmental  
4 disabilities medicaid home- and community-based waiver program;

5 (b) received developmental disabilities  
6 medicaid home- and community-based waiver services for the  
7 first time that year based on an approved initial service plan,  
8 including information on the average length of time that  
9 individuals for whom services were newly approved during the  
10 fiscal year had awaited allocation on the developmental  
11 disabilities medicaid home- and community-based waiver waiting  
12 list before plan approval;

13 (c) were awaiting allocation at the end  
14 of the fiscal year;

15 (d) were added to the waiting list,  
16 sorted by status category; and

17 (e) were removed from the waiting list  
18 due to reasons other than allocation to the developmental  
19 disabilities medicaid home- and community-based waiver program  
20 services;

21 (2) for each of the five most recent state  
22 fiscal years, the amount of state funds, if any, that the  
23 legislature has appropriated that:

24 (a) exceeds the previous state fiscal  
25 year's allocation of state funds for the purpose of increasing

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1 the number of individuals served in the developmental  
2 disabilities medicaid home- and community-based waiver program  
3 for each state fiscal year; and

4 (b) has reverted at the end of the state  
5 fiscal year;

6 (3) for each of the five most recent state  
7 fiscal years, the amount of state and federal funds expended  
8 for developmental disabilities medicaid home- and community-  
9 based waiver program services;

10 (4) a projection of the number of registrants  
11 who will be in awaiting allocation status at the end of each of  
12 the upcoming five state fiscal years, based on:

13 (a) historical data on the annual  
14 average number of registrations for the developmental  
15 disabilities waiver that were confirmed to meet the eligibility  
16 definition through match determination and moved to awaiting  
17 allocation status; and

18 (b) other relevant program data; and

19 (5) a projection of the amount of additional  
20 state funding required so that by the end of the upcoming  
21 five-year period, individuals on the waiting list awaiting  
22 allocation have a registration date not more than three years  
23 earlier than the date of the end of that five-year period.

24 B. As used in this section:

25 (1) "awaiting allocation" means that an

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1 individual on the waiting list for the developmental  
2 disabilities medicaid home- and community-based waiver program  
3 has been determined by the department of health through match  
4 determination to meet the eligibility definition for the  
5 program;

6 (2) "match determination" means the process to  
7 verify that an individual has a condition that meets the  
8 developmental disabilities medicaid home- and community-based  
9 waiver eligibility definition; and

10 (3) "registration" means the submission of a  
11 registration form to apply for the developmental disabilities  
12 medicaid home- and community-based waiver program.