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SENATE JOINT MEMORIAL 50

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

JANICE D. PASTER

A JOINT MEMORIAL

REQUESTING THE HUMAN SERVICES DEPARTMENT TO REVIEW, WITH FULL PUBLIC INVOLVEMENT, THE FULL ARRAY OF SERVICES AND MEDICAL BENEFITS PROVIDED IN THE MEDICAID PROGRAM AND REQUESTING THE NEW MEXICO HEALTH POLICY COMMISSION TO ESTABLISH A SUBCOMMITTEE TO REVIEW MEDICAL BENEFITS FOR THE MEDICAID PROGRAM

WHEREAS, the federal government is expected to make major changes to the medicaid program that will have a direct effect on the New Mexico medicaid program; and

WHEREAS, federal changes to the medicaid program may include giving more flexibility to states to determine medicaid reimbursement rates, eligibility standards and benefit design packages; and

WHEREAS, congress is expected to place a cap on the annual growth in the medicaid program or place a cap on per capita

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1 spending in the program, which will limit the amount of federal
2 dollars for New Mexico's medicaid program; and

3 WHEREAS, while congress is projecting a cap on medicaid
4 growth that is between seven and nine percent, the New Mexico
5 human services department reports that the state's medicaid
6 program is growing each year at a rate between ten and twelve
7 percent; and

8 WHEREAS, the expected cap on annual growth in the medicaid
9 program at the federal level, compared to the growth in medicaid
10 in New Mexico, will create a significant shortfall in federal
11 dollars to the state; and

12 WHEREAS, the state executive and legislative branches must
13 respond to changes occurring in the medicaid program at the
14 federal level, as well as the potential shortfall in federal
15 dollars to the New Mexico medicaid program; and

16 WHEREAS, the human services department must review the full
17 array of services and medical benefits in the state medicaid
18 program to address the shortfall in federal dollars, the level
19 of growth in the medicaid program and the anticipated
20 flexibility in medicaid program design; and

21 WHEREAS, a review of services and medical benefits in the
22 medicaid program needs to include a full opportunity for broad
23 public input prior to proposed revisions to the program; and

24 WHEREAS, the legislature needs to give prior approval to
25 significant changes in covered services or eligibility before

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1 the human services department proposes revisions to the medicaid
2 program;

3 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
4 STATE OF NEW MEXICO that the human services department, in
5 consultation with other state agencies using medicaid funds,
6 conduct a review that considers the full array of services and
7 medical benefits provided in the medicaid program and the
8 allocation of state and federal funds for the program,
9 including:

10 A. the development, through a broad-based public
11 process, of a consensus on values to guide medicaid spending and
12 medicaid resource allocation taking into consideration all
13 medicaid services, including:

- 14 (1) medical benefits;
- 15 (2) nursing facilities and home- and community-
16 based services;
- 17 (3) institutional and home- and community-based
18 care for the developmentally disabled, the chronically mentally
19 ill or emotionally disturbed and the treatment of alcohol- and
20 drug-dependent persons;
- 21 (4) other categories of service;

22 B. an analysis of the impact to other health
23 services of the recommended changes to the medicaid program
24 including:

- 25 (1) the costs incurred by the state, county

1 indigent funds and private insurance providers and policy
2 holders;

3 (2) the costs of uncompensated care incurred by
4 providers;

5 (3) use of emergency care;

6 (4) the care received by persons affected by
7 proposed changes in services, eligibility criteria or the
8 imposition of co-payment requirements;

9 (5) the care received by special needs
10 populations and persons with terminal or progressive illnesses;
11 and

12 (6) rural health care infrastructure and
13 provider participation in the medicaid program;

14 C. a consideration of options to contain health care
15 costs and expand medicaid coverage to persons without health
16 insurance;

17 D. the development and utilization of a public
18 review process that includes a series of public hearings and
19 seeks testimony and information from a wide range of interested
20 persons, including legislative and executive representatives;
21 advocates for senior citizens, handicapped persons, mental
22 health consumers, low-income individuals and medicaid
23 recipients; and providers or potential providers of services for
24 the medicaid program; and

25 E. the use of committees of advisory groups as

1 deemed necessary or appropriate to conduct a review of the
2 medicaid program for the purpose of making recommendations to
3 the human services department regarding changes to services and
4 medical benefits in the medicaid program; provided that the
5 membership of any committee or advisory group reflect the
6 ethnic, economic and geographic diversity of New Mexico; and

7 BE IT FURTHER RESOLVED that the human services department
8 work with the New Mexico health policy commission to establish a
9 subcommittee to review medical benefits for the medicaid
10 program. The commission, in overseeing the work of the
11 subcommittee, and the subcommittee are requested to:

12 A. participate in the public review process
13 developed by the department;

14 B. recommend to the department the array of medical
15 benefits for the medicaid program. The subcommittee is strongly
16 recommended to accord priority attention to providing basic
17 preventive and primary care medical benefits to all persons
18 eligible for medicaid assistance taking into account special
19 needs populations and persons with terminal illness. The
20 advantages of each medical benefit to the population to be
21 served by the medicaid program needs to be described;

22 C. consider eligibility criteria for medical
23 benefits for medicaid recipients; and

24 D. consider patient co-payments and appropriate
25 reimbursement rates for medical benefits for providers and plans

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1 that serve medicaid recipients; and

2 BE IT FURTHER RESOLVED that the human services department
3 consider and incorporate, where appropriate, the opinions
4 expressed in the public review process, as well as the
5 recommendations of committees, advisory groups and the medical
6 benefits subcommittee prior to reporting to the appropriate
7 interim legislative committee; and

8 BE IT FURTHER RESOLVED that the human services department's
9 completed review of services, benefits and the allocation of
10 funds for the medicaid program be reported to the appropriate
11 interim legislative committee before the department makes
12 changes to the medicaid program; and

13 BE IT FURTHER RESOLVED that the conclusions of the human
14 services department be reported to the appropriate interim
15 legislative committee by October 1, 1997 and be revised by
16 October 1, 1998 on the department's review of the
17 recommendations concerning services, benefits and the allocation
18 of funds for the medicaid program; and

19 BE IT FURTHER RESOLVED that copies of this memorial be sent
20 to the secretary of human services and the director of the New
21 Mexico health policy commission for distribution to
22 commissioners.

1 FORTY- SECOND LEGI SLATURE
2 SECOND SESSION, 1996
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6 February 3, 1996
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8 Mr. President:
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10 Your RULES COMMITTEE, to whom has been referred
11

12 SENATE JOINT MEMORIAL 50
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14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
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18 Respectfully submitted,
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22 _____
23 Gloria Howes, Chairman
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Adopted _____ Not Adopted _____

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(Chief Clerk)

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Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: EJennings, Wray, Doni sthorpe

Absent: 0

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State of New Mexico
House of Representatives

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FORTY- SECOND LEGISLATURE
SECOND SESSION, 1996

February 13, 1996

Mr. Speaker:

Your BUSINESS AND INDUSTRY COMMITTEE, to whom has
been referred

SENATE JOINT MEMORIAL 50

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Fred Luna, Chairman

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FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Alwin, Gubbels, Olguin, J. G. Taylor, Varela

Absent: None

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