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HOUSE BILL 76  
**44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999**  
INTRODUCED BY  
Rick Miera

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO DEVELOPMENTAL DISABILITIES; PROVIDING FOR AN ANNUAL COST-OF-LIVING INCREASE FOR DEVELOPMENTAL DISABILITIES SERVICE PROVIDERS.

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

Section 1. Section 28-16A-16 NMSA 1978 (being Laws 1993, Chapter 50, Section 16) is amended to read:

"28-16A-16. DETERMINATION OF RATES FOR PAYMENT FOR SUPPORT AND SERVICES. --

A. The department shall develop, implement and maintain a provider reimbursement system based on the level of support and services required by a person with a developmental disability.

B. If the approved funding from the legislature does not permit the implementation of a reimbursement system

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1 using the considerations provided for in this section, the  
2 department shall develop and implement a service reduction  
3 plan.

4 C. The department shall develop and include  
5 annually in its budget request submitted to the governor and  
6 the legislative finance committee a specific request for a  
7 cost-of-living increase for service providers. If the  
8 legislature approves funding for this item, the department  
9 shall, at the beginning of each fiscal year, increase payments  
10 to developmental disabilities service providers by the precise  
11 cost-of-living increase percentage amount approved by the  
12 legislature. In developing its cost-of-living budget request,  
13 the department shall use the health care financing  
14 administration basket index inflation factor.

15 [~~C.~~] D. The department shall report to the  
16 legislature and the governor the impact of any service  
17 reduction plans and the steps that will be taken to reinstate  
18 those services.

19 [~~D.~~] E. The department shall report annually to  
20 the legislature and the governor an estimate of the costs of  
21 maintaining support and services for persons with  
22 developmental disabilities being served, including the effects  
23 of changes in the costs of providing support and services, an  
24 estimate of the costs of providing support and services to  
25 persons that are eligible for service but not receiving

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1 services and the request of the department for funding of  
2 services.

3 [E-] F. Contractors shall be required to submit  
4 records of support and services delivered as determined by the  
5 department, subject to monitoring by the department.

6 [F-] G. Contingent upon appropriations, the  
7 department shall conduct an independent biannual cost study  
8 for the purpose of establishing payment rates. The results of  
9 this study shall be submitted to the legislature. "

10 Section 2. EFFECTIVE DATE. --The effective date of the  
11 provisions of this act is July 1, 2001.

1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3  
4  
5

6 January 28, 1999  
7

8 Mr. Speaker:  
9

10 Your LABOR & HUMAN RESOURCES COMMITTEE, to whom  
11 has been referred  
12

13 HOUSE BILL 76  
14

15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 APPROPRIATIONS & FINANCE COMMITTEE.

18 Respectfully submitted,  
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22 \_\_\_\_\_  
23 Sheryl Williams Stapleton,  
24 Chair man  
25

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

3 HB-75

Page 5

4 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

6 (Chief Clerk)

(Chief Clerk)

8 Date \_\_\_\_\_

10 The roll call vote was 7 For 0 Against

11 Yes: 7

12 Excused: None

13 Absent: Foley, Roberts

15 J:\99BillsWP\H0076

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1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999

3  
4 February 17, 1999

5  
6  
7 Mr. Speaker:

8  
9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
10 whom has been referred

11 HOUSE BILL 76

12  
13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.

15  
16 Respectfully submitted,

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20 \_\_\_\_\_  
21 Max Coll, Chair man  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

Page 7

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 15 For 0 Against

Yes: 15

Excused: Pi craux, Varela

Absent: None

J: \99BillSWP\H0076

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

March 1, 1999

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

HOUSE BILL 76

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

Respectfully submitted,

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Ben D. Altamirano, Chairman

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Carraro, Eisenstadt, Ingle, Lyons, McKibben, Tsosie

Absent: None

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