

Legislative Council Service

Information Memorandum

DATE: May 6, 2024

DISCUSSION DRAFT

TO: Legislative Health and Human Services Committee (LHHS) Members

FROM: Zander Dawson, Staff Attorney, Legislative Council Service

SUBJECT: LEGISLATION ENDORSED BY THE LHHS DURING THE 2023 INTERIM

This document summarizes legislation that was endorsed by the LHHS during last year's interim and provides updates on what happened to the endorsed legislation that was introduced during the 2024 legislative session. Any opinions expressed are those of the author and do not necessarily reflect the opinions of the New Mexico Legislative Council or any other member of its staff.

House Bill 33 (Prescription Drug Price Transparency Act)

The Prescription Drug Price Transparency Act requires each entity in the pharmaceutical supply chain to report certain increases in prescription drug prices to the superintendent of insurance. The superintendent of insurance then compiles all the data and publishes an annual report on prescription drug prices that will be available for public consumption. **House Bill 33 passed through the legislature and was signed by the governor.**

House Bill 34 (State-Run Substance Use Long-Term Rehabilitation Facility Study)

House Bill 34 proposed an appropriation to the Health Care Authority Department to conduct a study that identifies and evaluates the merits of strategies for creating a state-run long-term residential rehabilitation facility that treats individuals with substance use disorders.

The bill passed through the House Health and Human Services Committee (HHHC) **but died in the House Appropriations and Finance Committee (HAFC).**

House Bill 35 (University of New Mexico (UNM) Communities to Careers Programs)

House Bill 35 proposed an approximately \$1.2 million appropriation to support the UNM Communities to Careers programs. The bill passed through the HHHC **but died in the HAFC.**

House Bill 38 (African American Affairs Department Study)

House Bill 38 would have created a task force to study the feasibility of creating an African American Affairs Department. The bill **died in the House Consumer and Public Affairs Committee.**

House Bill 67 (County and Tribal Health Councils)

House Bill 67 proposed an appropriation of \$6.6 million to the Department of Health (DOH) to fund and support statewide county and tribal health councils. The bill passed through the House Government, Elections and Indian Affairs Committee **but died in the HAFC.** However, **House Bill 2 included a \$3 million appropriation to the DOH for health councils,** and an additional \$160,000 for health councils serving Harding, Quay, Union and Colfax counties.

House Bill 94 (Direct Care Worker Cost Study)

House Bill 94 would have required the Health Care Authority Department to perform yearly studies on the conditions in the direct care worker workforce. The studies would have focused on recommending Medicaid reimbursement rates for personal care services to ensure adequate compensation for direct care workers. The bill passed through the HHHC but **died in the HAFC.**

House Bill 104 (Statewide Public Health and Climate Program)

House Bill 104 would have required the DOH to establish a statewide public health and climate program to address the environment's effects on public health. The bill passed through the HHHC but **died in the HAFC.**

House Bill 163 (Rural Health Care Practitioner Tax Credit Eligibility)

House Bill 163 proposed expanding eligibility for the rural health care practitioner tax credit to include several additional categories of health care workers, including pharmacists, registered nurses, physical therapists, social workers and behavioral health counselors and therapists. The bill passed through the HHHC but died in the House Taxation and Revenue Committee. However, House Bill 163 ended up becoming a part of House Bill 252, the omnibus tax package, which **passed through the legislature and was signed by the governor.**

House Bill 262 (Veterinary Non-Compete Provisions)

House Bill 262 would have banned the use of non-compete provisions in employment contracts for veterinarians and veterinary technicians. The bill did not end up getting heard in a substantive committee. However, on April 23, 2024, **the Federal Trade Commission (FTC) issued a final rule banning employers from enforcing non-compete agreements.** Under the FTC's new rule, existing non-compete agreements will not be enforceable against the vast majority of workers, including veterinarians and veterinary technicians.

Senate Bill 32 (Boarding Home Reimbursement)

Senate Bill 32 would have created a reimbursement program that would have provided licensed boarding homes a reimbursement of \$200 per month for each resident living in the home who was released from the New Mexico Behavioral Health Institute at Las Vegas or the UNM Adult Psychiatric Center. **Senate Bill 32 died in the Senate Committees' Committee (SCC).**

Senate Bill 33 (Children's Trust Fund and Next Generation Fund)

Senate Bill 33 proposed a \$6 million appropriation to the Children's Trust Fund and a \$4 million appropriation to the Next Generation Fund to expand grant funding for programs that improve child welfare. The bill passed through the Senate Health and Public Affairs Committee but **died in the Senate Finance Committee**. However, **House Bill 2 did include an \$800,000 appropriation to the Children's Trust Fund**.

Senate Bill 34 (Prescription Drug Donation Program Expansion)

Senate Bill 34 was aimed at expanding the prescription drug donation program to allow more types of people to donate and receive donated prescription drugs. This bill **died in the SCC**.

Senate Bill 35 (Medication-Assisted Treatment for Juveniles in Treatment Programs)

Senate Bill 35 would have required the state to cease contracting with inpatient and outpatient substance use treatment providers who restrict the use of medication-assisted treatment for minors. The bill would also have made substance use treatment providers who restrict the use of medication-assisted treatment for minors ineligible for reimbursement by Medicaid for services to minors. Senate Bill 35 **died in the SCC**.

Senate Bill 44 (Health Care Licensing Changes)

Senate Bill 44 would have allowed the Regulation and Licensing Department (RLD) to compensate members of health care professional licensing boards that are administratively attached to the department. The bill would also have required the RLD to waive application, licensure and renewal fees for new applicants seeking licensure through July 1, 2034. Senate Bill 44 **died in the SCC**.