

MINUTES
of the
SEVENTH MEETING
of the
LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

November 28-29, 2023
State Capitol, Room 321
Santa Fe

November 30-December 1, 2023
State Capitol, Room 307
Santa Fe

The seventh meeting of the Legislative Health and Human Services Committee (LHHS) was called to order by Senator Gerald Ortiz y Pino, chair, on Tuesday, November 28, 2023, at 9:09 a.m. in Room 321 of the State Capitol in Santa Fe.

Present

Sen. Gerald Ortiz y Pino, Chair
Rep. Elizabeth "Liz" Thomson, Vice Chair
Rep. Eleanor Chávez
Sen. David M. Gallegos (11/29, 11/30)
Rep. Pamelya Herndon
Sen. Martin Hickey
Rep. Jenifer Jones
Sen. Antoinette Sedillo Lopez (11/28, 11/29)

Absent

Advisory Members

Rep. John Block
Rep. Kathleen Cates
Rep. Gail Chasey (11/28, 11/29, 11/30)
Rep. Joanne J. Ferrary
Rep. Miguel P. García (12/1)
Rep. D. Wonda Johnson (12/1)
Sen. Linda M. López (11/29, 12/1)
Rep. Stefani Lord (11/28, 12/1)
Rep. Tara L. Lujan (11/28, 11/29)
Rep. Alan T. Martinez
Rep. Cristina Parajón (11/30, 12/1)
Sen. Harold Pope
Sen. Nancy Rodriguez (11/30, 12/1)
Sen. Elizabeth "Liz" Stefanics
Sen. Bill Tallman (11/29, 11/30)
Rep. Harlan Vincent

Sen. Katy M. Duhigg
Sen. Siah Correa Hemphill
Rep. Tara Jaramillo
Sen. Shannon D. Pinto
Rep. Patricia Roybal Caballero
Sen. Gregg Schmedes
Rep. Reena Szczepanski

Guest Legislator

Rep. Micaela Lara Cadena (11/29, 11/30)

(Attendance dates are noted for those members not present for the entire meeting.)

Staff

Zander Dawson, Staff Attorney, Legislative Council Service (LCS)

Andrea Lazarow, Bill Drafter, LCS

Grace Balderamos, Staff, LCS

Minutes Approval

Because the committee will not meet again this year, the minutes for this meeting have not been officially approved by the committee.

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Tuesday, November 28 — State Capitol, Room 321

Welcome and Introductions (9:10 a.m.)

Senator Ortiz y Pino welcomed everyone to the meeting. Members of the committee and staff introduced themselves.

The Business of Health Care (9:20 a.m.)

Theresa Hacsí, attorney and patient advocate, and Colonel Michaela Shafer, Ph.D., R.N., discussed how profit-driven, corporatized medicine negatively impacts health care providers and patients. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%201%20Business%20of%20Medicine.pdf>.

Expanding Drug Donation (10:36 a.m.)

Cameron Crandall, M.D., regents' professor and vice chair, Department of Emergency Medicine, University of New Mexico (UNM) School of Medicine (SOM), introduced Andrea Howard, medical student, UNM SOM. Krista Dominguez-Salazar, Pharm.D., clinician educator

and associate professor, Pharmacy Practice and Administrative Sciences, UNM College of Pharmacy (COP), introduced Tomanda Sandoval, pharmacy student, UNM COP, and Marissa Martinez, pharmacy student, UNM COP. Ms. Howard, Ms. Sandoval and Ms. Martinez offered suggestions for revising New Mexico's drug donation policies. Dr. Crandall introduced David Gummin, M.D., professor of emergency medicine, UNM SOM, and Joseph Lambson, Pharm.D., assistant professor, UNM COP, as the new medical director and director, respectively, of the New Mexico Poison and Drug Information Center. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=2>.

Prescribing Drug Purchasing Report (11:36 a.m.)

Dorothy Moller, health care consultant, DMoller Associates; Anne Sapon, health care consultant; and Senator Hickey provided an assessment of pharmaceutical purchasing methods and potential solutions to increase transparency in the pharmaceutical industry. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=3>.

Working Lunch: Program of All-Inclusive Care for the Elderly (PACE) (12:27 p.m.)

Judy Kohn, chief strategy officer, Kinship Health, and David Beijer, senior director, Strategy, Kinship Health, described how Kinship Health gives comprehensive, holistic, at-home care for elderly people. They provided information about PACE, which is administered by the Health Care Authority Department (HCA) and offers long-term services to Medicaid and Medicare enrollees. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%204%20PACE.pdf>.

Reducing Prescription Drug Prices (1:16 p.m.)

Barbara L. McAneny, M.D., chair, New Mexico Prescription Drug Price Task Force; former president, American Medical Association; and chief executive officer, New Mexico Oncology Hematology Consultants, Ltd., discussed prescription drug pricing reform, including federal legislation focused on regulating pharmacy benefits managers and steps New Mexico can take to increase transparency of pharmacy benefits managers. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=5>.

Public Comment (2:12 p.m.)

A list of individuals making public comment is available in the meeting file.

Health Care and the Environment (2:40 p.m.)

Charles Goodmacher, M.A., New Mexico Environmental Public Health Network, and Shelly Mann-Lev, M.P.H., executive director, New Mexico Health Professionals for Climate Action, explained how weather events and climate change affect human health. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%206%20Public%20Health%20and%20Community%20Preparedness.pdf>

Approval of Minutes (3:15 p.m.)

Upon a motion made and duly seconded, and without any objections, the committee approved the minutes of the October 16-18, 2023 meeting.

Senate Memorial 30 (2023) Brain Injury Report (3:26 p.m.)

Lisa McNiven, M.P.A., deputy director, Governor's Commission on Disability; Emily Stern, M.F.A., justice, equity, diversity and inclusion coordinator, Early Childhood Education and Care Department; W. Austin Davis, M.D., assistant professor, Physical Medicine and Rehabilitation Division, Department of Orthopaedics and Rehabilitation, UNM Health Sciences Center; and Mark Pedrotty, Ph.D., Brain Injury Alliance of New Mexico, presented a report pursuant to Senate Memorial 30 (2023) about the feasibility of providing comprehensive coverage for brain injury services and establishing a brain injury registry in New Mexico. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=7>.

Feeding New Mexico (4:46 p.m.)

Katy Anderson, chief programs officer, Roadrunner Food Bank, and Sherry Hooper, executive director, The Food Depot, described food support resources that are available in New Mexico and emphasized the need for accessible food banks. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%208%20Food%20Support.pdf>.

Recess

The meeting recessed at 5:36 p.m.

Wednesday, November 29 — State Capitol, Room 321**Reconvene**

The meeting reconvened at 9:04 a.m.

Compliance with the Federal Prison Rape Elimination Act of 2003 (9:45 a.m.)

Alexandria Taylor, M.P.A., L.M.S.W., executive director, New Mexico Coalition of Sexual Assault Programs, and Senator Pope discussed findings and plans of the task force convened pursuant to House Memorial 40 (2023) and Senate Memorial 37 (2023) to improve

New Mexico correctional facilities' compliance with the federal Prison Rape Elimination Act of 2023. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%209%20CSAP.pdf>.

Maternal Mortality (10:24 a.m.)

Alanna Dancis, C.N.P., medical director, Medical Assistance Division, HCA, and Abigail Reese, Ph.D., manager, Maternal Health Program, Family Health Bureau, Public Health Division, Department of Health (DOH), presented the maternal mortality review committee's annual report and discussed access to maternal and postpartum health care and the HCA's maternal health initiatives. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=10>.

Public Comment (11:56 a.m.)

A list of individuals making public comment is available in the meeting file.

Working Lunch: House Memorial 5 (2023) Report on Co-occurring Developmental Disabilities and Mental Health Issues (12:38 p.m.)

Patrick Allen, secretary, DOH; Jose Acosta, director, Developmental Disabilities Supports Division (DDSD), DOH; and Susan Seefeldt, chief, Bureau of Behavioral Support, DDSD, DOH, presented a report by a task force convened pursuant to House Memorial 5 (2023) to study the feasibility of requiring some mental health and developmental disability providers to be trained in the treatment of people with developmental disabilities and co-occurring mental health issues. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=11>.

Higher Education Department (HED) Reports on Expanding Behavioral Health Education (1:39 p.m.)

Patricia Trujillo, Ph.D., acting secretary, HED, and Gerald Hoehne, acting deputy secretary, HED, gave an update about school-based health centers and future studies that the HED hopes to conduct.

Observations on the Jail Diversion Program in Miami-Dade County, Florida (1:54 p.m.)

Representative Jones shared her experience visiting the Miami Center for Mental Health and Recovery to learn about the Miami-Dade County Jail Diversion Program. Noah Painter-Davis, Ph.D., associate professor, Department of Sociology and Criminology, UNM, and Connie

Elizabeth Vigil, behavioral health master plan coordinator, Bernalillo County Behavioral Health Committee, and president, Greater Albuquerque Business Alliance, provided information about the program. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=13>.

Youth Empowerment (2:42 p.m.)

Roberta Rael, director and founder, Generation Justice, introduced a group of high school and undergraduate students who are members of Generation Justice, and the students voiced their concerns about issues affecting youth in New Mexico. Brad Louis, Santa Fe Indian School Leadership Institute, discussed low academic achievement. Barbara Ramirez, Generation Justice, discussed funding health care services. Elijah Cage, Generation Justice, discussed gun violence and school shootings. Saygen Ruvalcaba, New Mexico Dream Team, discussed protecting immigrants. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2014%20Generation%20Justice.pdf>.

Cynthia Lentini, program co-director, National Latino Behavioral Health Association (NLBHA), introduced a group of high school students who are members of the NLBHA, and the students voiced their concerns about issues affecting youth in New Mexico. Keila Aguirre, NLBHA; Amberlynn Jaramillo, NLBHA; and Luca Martinez, NLBHA, shared a homemade video promoting mental and behavioral health awareness in youth and shared their experiences with mental health awareness in Hispanic communities.

Solutions to the Housing Crisis (3:34 p.m.)

Cathryn McGill, executive director, New Mexico Black Leadership Council (NMBLC); Jack Champagne, uplift director, NMBLC; and Charlton Simmons, coordinator, Community Schools, Albuquerque Public School District, offered policy suggestions to prevent homelessness and housing insecurity, such as creating landlord-tenant resource centers. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2015%20NMBLC.pdf>.

Prescription Drug Price Transparency (4:31 p.m.)

Barbara K. Webber, M.S., executive director, Health Action New Mexico, and Gabriella Rivera, M.P.P., communications and policy analyst, Health Action New Mexico, provided information about Health Action New Mexico's coalition called New Mexico Consumers for Affordable Prescriptions Coalition, which advocates for prescription drug affordability and price transparency. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2016%20Drug%20Price%20Transparency.pdf>.

Recess

The meeting recessed at 4:52 p.m.

Thursday, November 30 — State Capitol, Room 307**Reconvene**

The meeting reconvened at 9:26 a.m.

Medication-Assisted Treatment Expansion (9:27 a.m.)

Secretary Allen; Miranda Durham, M.D., chief medical officer, DOH; Melissa Heinz, HCA; Grace Philips, general counsel, New Mexico Counties; Leslie Hayes, M.D., El Centro Family Health; and Nathan Birnbaum, M.D., A.A.H.I.V.S., assistant professor, Department of Family and Community Medicine, UNM, gave an update about the DOH's Southwest Pathways program and funding streams and objectives for the expansion of medication-assisted treatment. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=17>.

The Human Services Department's Transition to the HCA (10:49 a.m.)

Kari Armijo, acting secretary, HCA, explained the process and logistics of the Human Services Department's transition to the HCA and goals that the HCA hopes to accomplish when the transition is complete. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2018%20HCA.pdf>.

Public Comment (12:40 p.m.)

A list of individuals making public comment is available in the meeting file.

Project ECHO (1:10 p.m.)

Sanjeev Arora, M.D., founder and executive director, Project ECHO, and professor, UNM SOM; Matt Bouchonville, M.D., Division of Endocrinology and Metabolism, UNM, and medical director, Endocrinology teleECHO Program, Project ECHO; Dr. Hayes; and Dorothy Martinez, community health worker, gave an update about the expansion and impact of Project ECHO. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2019%20ECHO.pdf>.

Governor's Office Health Care Initiatives (2:40 p.m.)

Gina DeBlassie, health policy advisor, Office of the Governor, provided legislative recommendations regarding the HCA, the Health Care Affordability Fund, health entity mergers and acquisitions and creating a hospital provider tax. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2020%20Health%20Care%20Initiatives.pdf>.

Health Care Gross Receipts Tax (3:19 p.m.)

Mark Chaiken, director, Tax Policy, Taxation and Revenue Department, discussed health care gross receipts taxation, tax incentives for hospitals, deductions specific to the health care industry and changes to the taxation of hospitals that resulted from the implementation of House Bill 6 (2019). The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2021%20Health%20Care%20Tax.pdf>.

Recess

The meeting recessed at 4:13 p.m.

Friday, December 1 — State Capitol, Room 307

Reconvene

The meeting reconvened at 9:12 a.m.

Provider Reimbursement Interim Report (9:14 a.m.)

Mike Romano, director and engagement director and provider access review lead, Guidehouse; Coy Jones, director and provider rate benchmarking analysis lead, Guidehouse; Hanford Lin, partner and engagement executive, Guidehouse; and Josh Mihm, managing consultant and provider rate benchmarking analyst, Guidehouse, explained the results of Guidehouse's study analyzing New Mexico's physician and advanced practice provider reimbursement rates and the adequacy of those rates compared to similar rates around the country. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2022%20Guidehouse.pdf>.

Expanding Medication-Assisted Treatment for Minors (10:31 a.m.)

Dr. Birnbaum and Chloe Stoffel, D.O., F.A.A.P., assistant professor, Department of Pediatrics, and medical director, Averting Disparities in Outcomes by Building Engagement Program, UNM SOM, proposed ideas for legislation to improve access and reduce barriers to medication-assisted treatment for minors with substance abuse disorder. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2023%20MAT.pdf>.

Reducing Administrative Costs in Health Care Report (11:29 a.m.)

Scott Leitz, vice president, Health Care Programs, and project executive advisor, National Opinion Research Center (NORC); Elizabeth McOsker, research scientist, Health Care Programs, and project manager, NORC; and Megan Stead, senior research director and project

director, NORC, provided the NORC's report analyzing methods of reducing administrative costs in New Mexico's health care system. They presented key findings and provided recommendations. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=25>.

Global Budgeting in Rural Hospitals Report (12:52 p.m.)

Mr. Leitz and Chuck Betley, senior research scientist and project manager, NORC, presented the NORC's report analyzing the feasibility of implementing a global budgeting system for rural hospitals in New Mexico. They discussed the study that the NORC conducted for the report and explained their financial analysis. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=11/28/2023&ItemNumber=24>.

LHHS Study Update (1:27 p.m.)

Karen Wells, project coordinator, LCS, thanked the committee and the NORC for their work on the studies about reducing administrative costs in health care and global budgeting in rural hospitals. Senator Ortiz y Pino and Senator Hickey discussed the future of those studies and mentioned future studies the committee could consider.

UNM Office of the Medical Investigator (OMI) (1:46 p.m.)

Heather S. Jarrell, M.D., chief medical investigator, OMI, and director of neuropathology and associate professor, Department of Pathology, UNM SOM, provided an update about the OMI, including the office's caseload and equipment needs. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20112823%20Item%2027%20OMI.pdf>.

Public Comment (2:04 p.m.)

A list of individuals making public comment is available in the meeting file.

Consideration of Legislation for Endorsement (2:10 p.m.)

Committee members discussed legislation for endorsement. The endorsed legislation can be found here:

https://www.nmlegis.gov/Committee/endorsed_legislation?CommitteeCode=LHHS&Year=2024.

Adjournment

There being no further business before the committee, the meeting adjourned at 3:41 p.m.