

AN ACT

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RELATING TO THE SENIOR PRESCRIPTION DRUG PROGRAM; ALLOWING FOR MORE EFFICIENT ADMINISTRATIVE PROCEDURES AND FUNDING; PROVIDING FOR APPOINTMENT OF A MEMBER OF THE BOARD OF THE RETIREE HEALTH CARE AUTHORITY; DECLARING AN EMERGENCY.

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

Section 1. Section 10-7C-6 NMSA 1978 (being Laws 1990, Chapter 6, Section 6, as amended) is amended to read:

"10-7C-6. BOARD CREATED--MEMBERSHIP--AUTHORITY.--

A. There is created the "board of the retiree health care authority".

The board shall be composed of not more than twelve members.

B. The board shall include:

(1) one member who is not employed by or on behalf of or contracting with an employer participating in or eligible to participate in the Retiree Health Care Act and who shall be appointed by the governor to serve at the pleasure of the governor;

(2) the educational retirement director or the educational retirement director's designee;

(3) one member to be selected by the public school superintendents' association of New Mexico;

(4) one member who is a teacher who is certified and teaching in elementary or secondary education to be selected by a committee composed of one person designated by the New Mexico association of classroom teachers, one person

designated by the national education association of New Mexico and one person	H
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designated by the New Mexico federation of teachers;	5
(5) one member who is an eligible retiree of a public school and	1
who is selected by the New Mexico association of retired educators;	3
(6) the executive secretary of the public employees retirement	P
association or the executive secretary's designee;	a
(7) one member who is an eligible retiree receiving a benefit	g
from the public employees retirement association and who is selected by the retired	e
public employees of New Mexico;	2
(8) one member who is an elected official or employee of a	
municipality participating in the Retiree Health Care Act and who is selected by the New	
Mexico municipal league;	
(9) the state treasurer or the state treasurer's designee; and	
(10) one member who is a classified state employee selected	
by the personnel board.	

C. The board, in accordance with the provisions of Paragraph (3) of Subsection D of Section 10-7C-9 NMSA 1978, shall include, if they qualify:

(1) one member who is an eligible retiree of an institution of higher education participating in the Retiree Health Care Act and who is selected by the New Mexico association of retired educators; and

(2) one member who is an elected official or employee of a county participating in the Retiree Health Care Act and who is selected by the New Mexico association of counties.

D. Every member of the board shall serve at the pleasure of the party

that selected that member.

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E. The members of the board shall begin serving their positions on the board on the effective date of the Retiree Health Care Act or upon their selection, whichever occurs last, unless that member's corresponding position on the board has been eliminated pursuant to Subsection D of Section 10-7C-9 NMSA 1978.

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F. The board shall elect from its membership a president, vice president and secretary.

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G. The board may appoint such officers and advisory committees as it deems necessary. The board may enter into contracts or arrangements with consultants, professional persons or firms as may be necessary to carry out the provisions of the Retiree Health Care Act.

H. The members of the board and its advisory committees shall receive per diem and mileage as provided in the Per Diem and Mileage Act but shall receive no other compensation, perquisite or allowance."

Section 2. Section 10-7C-17 NMSA 1978 (being Laws 2002, Chapter 75, Section 2 and Laws 2002, Chapter 80, Section 2) is amended to read:

"10-7C-17. CREATION OF SENIOR PRESCRIPTION DRUG PROGRAM.--

A. The "senior prescription drug program" is created in the authority.

B. To be eligible for the senior prescription drug program, a person

shall:

(1) be a resident of the state; and

(2) be sixty-five years of age or older.

C. Upon a determination that the person qualifies for the senior prescription drug program, the authority may assess an annual administrative fee not

to exceed sixty dollars (\$60.00) per year. The authority shall collect the fees, which shall be used by the authority to cover the cost of administering the program.

D. The amount a qualified person pays for a prescription drug shall not exceed the total cost of the dispensing fee plus the contracted discounted price made available to the authority for this group of seniors.

E. The authority shall enroll and provide participants with electronic or other form of membership identification for use by pharmacies for each transaction.

F. The authority shall actively promote membership and benefit information on the senior prescription drug program to seniors and the general public throughout the state."

Section 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

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