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SENATE BILL 313

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Phil A. Griego

AN ACT

**RELATING TO HEALTH; CREATING THE GOVERNOR'S HIV AND AIDS POLICY
COMMISSION; ESTABLISHING MEMBERSHIP AND DUTIES; REQUIRING THE
DEPARTMENT OF HEALTH TO PROVIDE ADMINISTRATIVE SERVICES TO THE
COMMISSION.**

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

Section 1. COMMISSION CREATED-- MEMBERS-- DUTIES. --

**A. There is created the "governor's HIV and AIDS
policy commission", consisting of twenty-three members as
follows:**

**(1) the secretary of health or the secretary's
designee;**

**(2) the secretary of human services or the
secretary's designee;**

(3) the secretary of public education or the

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1 secretary' s designee;

2 (4) the chief medical officer of the
3 corrections department or the officer' s designee;

4 (5) the chair of the department of health' s
5 medical advisory committee;

6 (6) the executive director of the New Mexico
7 medical insurance pool or the director' s designee;

8 (7) a representative from each of the six
9 health management alliance organizations, appointed by the
10 governor;

11 (8) six consumers reflecting the diversity of
12 the HIV and AIDS populations in New Mexico, including Native
13 Americans and other people of color, appointed by the governor;
14 and

15 (9) five public members who have expertise in
16 HIV and AIDS services, prevention, program administration,
17 financial management and other categories of expertise required
18 under federal planning requirements, appointed by the governor.

19 B. The governor shall appoint the chair of the
20 commission. Members appointed by the governor shall serve for
21 terms of three years, except that the initial term of seven
22 members shall be two years. Vacancies of the appointed members
23 shall be filled by appointment by the governor for the
24 remainder of the unexpired term. Appointed members shall
25 receive per diem and mileage as provided in the Per Diem and

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1 Mileage Act but shall receive no other compensation, perquisite
2 or allowance. The commission shall be administratively
3 attached to the department, which shall provide administrative
4 services to the commission.

5 C. The commission shall:

6 (1) review and make recommendations on
7 department HIV and AIDS policies;

8 (2) study and make recommendations to the
9 department on all factors affecting the availability, quality
10 and accessibility of health services for persons with HIV and
11 AIDS, including:

12 (a) review and consult with the
13 department's medical advisory committee regarding the HIV and
14 AIDS drug formulary and policies of selection, utilization and
15 provision of those drugs; and

16 (b) review policies and practices of
17 each state agency with responsibilities to persons with HIV and
18 AIDS, including statutes and rules governing these
19 responsibilities;

20 (3) serve as a planning and advisory group to
21 the department's HIV and AIDS services program;

22 (4) annually provide its evaluation and
23 recommendations to the department for inclusion in the
24 department's annual report, including recommendations for
25 administrative and legislative changes, for resource allocation

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1 by the department and for funding;

2 (5) provide information on HIV and AIDS
3 programs and issues as requested by the executive and
4 legislative branches of government;

5 (6) advocate for improved and expanded
6 services for persons living with HIV and AIDS; and

7 (7) establish task forces as it deems
8 necessary.

9 D. For purposes of this section:

10 (1) "commission" means the governor's HIV and
11 AIDS policy commission;

12 (2) "department" means the department of
13 health;

14 (3) "HIV and AIDS" means human
15 immunodeficiency virus and acquired immune deficiency syndrome;
16 and

17 (4) "consumers" means people living with HIV
18 and AIDS.