

A MEMORIAL

REQUESTING THE INSURANCE DIVISION OF THE PUBLIC REGULATION COMMISSION TO CONVENE A TASK FORCE TO STUDY WAYS TO REDUCE WORKERS' COMPENSATION PREMIUMS FOR NONPROFIT AGENCIES PROVIDING HEALTH AND HUMAN SERVICES.

WHEREAS, the state of New Mexico contracts with many private, not-for-profit agencies to deliver an array of health and human services; and

WHEREAS, agencies providing health and human services often have limited funding available to meet programmatic needs and personnel costs; and

WHEREAS, workers' compensation premiums for nonprofit agencies providing health and human services have dramatically increased in recent years, resulting in financial hardship for these agencies; and

WHEREAS, agencies providing health and human services may be assigned to the workers' compensation assigned-risk pool with significantly higher costs, further jeopardizing fiscal solvency for these agencies; and

WHEREAS, independent contractors may have been erroneously classified as agency employees, resulting in increased premiums;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the insurance

division of the public regulation commission be requested to convene a task force to study ways to reduce workers' compensation premiums for nonprofit agencies providing health and human services; and

BE IT FURTHER RESOLVED that the task force include representatives of the workers' compensation administration, the department of health, the labor department, the children, youth and families department, the human services department, not-for-profit community-based providers of developmental disability services, providers of disabled and elderly services, providers of mental health services and other appropriate entities; and

BE IT FURTHER RESOLVED that the task force report its findings and recommendations to the interim legislative health and human services committee by its October 2006 meeting; and

BE IT FURTHER RESOLVED that a copy of this memorial be sent to the insurance division of the public regulation commission.