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SENATE MEMORIAL 8

**47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

INTRODUCED BY

Dede Feldman

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

A MEMORIAL

REQUESTING THAT MEMBERS OF THE NEW MEXICO CONGRESSIONAL  
DELEGATION SUPPORT CHANGES TO THE MEDICARE, PART D PROGRAM.

WHEREAS, the medicare, part D program is proving to be one  
of the most complicated programs ever created with significant  
and serious implementation problems; and

WHEREAS, the benefits promised to senior citizens are not  
being realized because the program is so difficult to  
understand; and

WHEREAS, a dire need exists to revise the program so that  
the program can provide the promised benefits;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
OF NEW MEXICO that the members of the New Mexico congressional  
delegation be requested to support the following changes to the  
medicare, part D program:

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1           A. elimination of the penalty for all medicare-  
2 eligible individuals who do not enroll by May 15, 2006;

3           B. inclusion of a requirement that the prescription  
4 drug plans drop coverage of drugs on their formularies only  
5 after one year advance notice to coincide with the annual open  
6 enrollment period, except that drugs that have been determined  
7 to be dangerous or removed from the market may be dropped as  
8 necessary;

9           C. standardization of the formulary design so that  
10 each plan has the same number of tiers and requirements for  
11 coverage;

12           D. modification of the requirements about what can  
13 be counted toward a medicare beneficiary's true out-of-pocket  
14 cost to include all prescription drugs purchased on behalf of  
15 the beneficiary regardless of where the drugs have been  
16 purchased; whether the drugs have been purchased through a  
17 state pharmacy program or with a discount drug card; or whether  
18 the drug is on the formulary of the beneficiary's plan;

19           E. assurance of transparency so that states know  
20 the cost negotiated by the prescription drug plan to ensure  
21 that all negotiated rebates are passed through to the  
22 beneficiaries; and

23           F. institution of price negotiation for the  
24 purchase of prescription drugs for the medicare program,  
25 similar to the provisions already in place under medicaid and

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1 the veterans' administration; and

2 BE IT FURTHER RESOLVED that copies of this memorial be  
3 transmitted to each member of the New Mexico congressional  
4 delegation.

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