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A JOINT MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO ESTABLISH A
MEDICAID DISABILITY SERVICES OVERSIGHT COUNCIL.

WHEREAS, the state's medicaid program provides a great
number of the services on which New Mexicans living with
disabilities depend; and

WHEREAS, the human services department and the
department of health channel state and federal funding to
offer medicaid services to persons living with disabilities;
and

WHEREAS, among the medicaid programs that serve
individuals with disabilities are the developmental
disabilities waiver; the coordinated long-term services, or
"CoLTS", waiver; the medically fragile waiver; the working
disabled medicaid program; and the personal care option
offered through the salud! program; and

WHEREAS, medicaid disability services for individuals
currently enrolled in the CoLTS, personal care option and
salud! medicaid programs will be integrated with the
January 1, 2014 implementation of the centennial care waiver
program; and

WHEREAS, the developmental disabilities waiver program
has seen major changes with the implementation of a new
federal home- and community-based waiver, with changes having

1 a sometimes devastating effect upon the lives of waiver
2 participants; and

3 WHEREAS, individuals living with disabilities are New
4 Mexicans living in some of the most vulnerable circumstances,
5 yet have the least say in how decisions that affect them are
6 made as state agencies do not engage in meaningful
7 consultation with disabled individuals and their
8 representatives; and

9 WHEREAS, medicaid services are usually provided in a
10 climate that lacks transparency, depriving disabled New
11 Mexicans and their families of accurate information about the
12 medicaid services upon which they depend; and

13 WHEREAS, the employment, education and recreation
14 programs that state medicaid disability services provide are
15 inadequate to the tasks of fostering independence and
16 meaningful life stewardship opportunities for disabled
17 participants; and

18 WHEREAS, when the rights of individuals with
19 disabilities are respected, when they have the information
20 they need about medicaid services and when they have a voice
21 in how decisions are made regarding medicaid services, they
22 are better able to participate independently in and fully
23 contribute to the community;

24 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
25 STATE OF NEW MEXICO that the New Mexico legislative council

1 be requested to create a permanent, thirteen-member medicaid
2 disability services oversight council, made up of legislators
3 and non-legislators, to provide oversight of the medicaid
4 services provided for persons living with disabilities; and

5 BE IT FURTHER RESOLVED that the New Mexico legislative
6 council appoint members to the medicaid disability services
7 oversight council as follows:

8 A. two senators, including one senator from each
9 major political party;

10 B. two members of the house of representatives,
11 including one representative from each major political party;

12 C. two individuals living with disabilities;

13 D. one disabled individual's personal
14 representative;

15 E. one individual who serves as a community
16 advocate for individuals living with disabilities;

17 F. two providers of services to persons with
18 developmental disabilities;

19 G. one individual with expertise and experience in
20 disability issues, disabilities law or disability policy or
21 finance;

22 H. one representative from the medical assistance
23 division of the human services department; and

24 I. one representative from the developmental
25 disabilities support division of the department of health; and

1 BE IT FURTHER RESOLVED that the medicaid disability
2 services oversight council be charged with study and oversight
3 of medicaid programming and finance matters relating to
4 medicaid disability services offered through the human
5 services department and the department of health; and

6 BE IT FURTHER RESOLVED that the medicaid disability
7 services oversight council be charged with receiving reporting
8 from state agencies that serve disabled medicaid recipients;
9 and

10 BE IT FURTHER RESOLVED that the New Mexico legislative
11 council require the medicaid disability services oversight
12 council to make an annual report of its findings and
13 recommendations and recommend any necessary legislation to the
14 legislative health and human services committee or the
15 disabilities concerns subcommittee of the legislative health
16 and human services committee and to the legislative finance
17 committee; and

18 BE IT FURTHER RESOLVED that copies of this memorial be
19 transmitted to the president pro tempore of the senate and the
20 speaker of the house of representatives. _____