

HOUSE BILL 471

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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AN ACT

RELATING TO HEALTH CARE; CREATING THE ALZHEIMER'S DISEASE AND OTHER DEMENTIA ADVISORY COUNCIL; REQUIRING THE ALZHEIMER'S DISEASE AND OTHER DEMENTIA ADVISORY COUNCIL TO CREATE AN ALZHEIMER'S DISEASE AND OTHER DEMENTIA STATE PLAN.

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

SECTION 1. [NEW MATERIAL] ALZHEIMER'S DISEASE AND OTHER DEMENTIA ADVISORY COUNCIL CREATED.--

A. The "Alzheimer's disease and other dementia advisory council" is created and shall be administratively attached to the aging and long-term services department. The Alzheimer's disease and other dementia advisory council consists of:

(1) the following eleven voting members:

(a) one individual living with

1 Alzheimer's disease or other dementia or a relative of an
2 individual living with Alzheimer's disease or other dementia;

3 (b) one individual who is related to and
4 the caregiver of an individual living with Alzheimer's disease
5 or other dementia;

6 (c) one individual who represents
7 nursing homes;

8 (d) one individual who represents
9 assisted living facilities;

10 (e) one individual who represents
11 providers of adult daycare services;

12 (f) one individual who represents home
13 care providers;

14 (g) one physician who has experience
15 diagnosing and treating Alzheimer's disease;

16 (h) one individual who researches
17 Alzheimer's disease or other dementia;

18 (i) one individual who represents a
19 national organization that advocates on behalf of individuals
20 living with Alzheimer's disease or other dementia;

21 (j) one individual who represents the
22 area agencies on aging; and

23 (k) one individual who represents an
24 organization that advocates for older adults; and

25 (2) the following four nonvoting members:

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1 (a) the director of the division of
2 health improvement of the department of health or the
3 director's designee;

4 (b) the secretary of aging and long-term
5 services or the secretary's designee;

6 (c) the director of the medical
7 assistance division of the human services department or the
8 director's designee; and

9 (d) the state long-term care ombudsman
10 or the ombudsman's designee.

11 B. Each voting member shall be appointed by the
12 secretary of aging and long-term services and shall serve for a
13 term of two years and until the voting member's successor is
14 appointed and qualified. A voting member shall not serve more
15 than two consecutive terms. The secretary of aging and long-
16 term services shall appoint all eleven voting members no later
17 than ninety days after the effective date of this 2023 act.

18 C. Members of the Alzheimer's disease and other
19 dementia advisory council are entitled to per diem and mileage
20 pursuant to the Per Diem and Mileage Act but shall receive no
21 other compensation for their services on the council.

22 D. Members of the Alzheimer's disease and other
23 dementia advisory council shall select the chair and vice chair
24 who shall not be employees of the state and may serve as chair
25 and vice chair for up to two consecutive years. The council

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1 shall hold its first meeting no later than thirty days after
2 the appointment of all eleven voting members and at least once
3 every quarter after the initial meeting. For purposes of the
4 initial meeting, the secretary of aging and long-term services
5 or the secretary's designee shall call and preside over the
6 meeting until a chair is selected.

7 E. A majority of the voting members shall
8 constitute a quorum of the Alzheimer's disease and other
9 dementia advisory council.

10 SECTION 2. [NEW MATERIAL] DUTIES--REPORTING
11 REQUIREMENTS.--

12 A. The Alzheimer's disease and other dementia
13 advisory council shall study the:

14 (1) needs of individuals living with
15 Alzheimer's disease or other dementia;

16 (2) services available in the state for
17 individuals with Alzheimer's disease and other dementia or
18 their familial caregivers; and

19 (3) ability of health care providers and
20 facilities to meet the current and future needs of individuals
21 with Alzheimer's disease or other dementia.

22 B. The Alzheimer's disease and other dementia
23 advisory council shall create an Alzheimer's disease and other
24 dementia state plan that recommends strategies to improve
25 Alzheimer's disease and other dementia care in New Mexico. The

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1 council shall submit the state plan to the legislative health
2 and human services committee, the legislative finance committee
3 and the office of the governor no later than July 1, 2026, and
4 an updated state plan shall be submitted every four years after
5 that. When creating or updating the state plan, the council
6 shall consider and make findings and recommendations on:

7 (1) trends relating to the state's populations
8 of individuals with Alzheimer's disease and other dementia,
9 including the:

10 (a) state's role in providing or
11 facilitating long-term care, familial caregiver support and
12 assistance to those with early-stage or early-onset Alzheimer's
13 disease or other dementia;

14 (b) state's policies regarding
15 individuals with Alzheimer's disease or other dementia;

16 (c) fiscal impact of Alzheimer's disease
17 and other dementia;

18 (d) establishment of systems to better
19 determine the number of individuals diagnosed with Alzheimer's
20 disease or other dementia in the state;

21 (e) workforce of health care workers who
22 are able to serve people with Alzheimer's disease or other
23 dementia, including neurologists and direct care workers;

24 (f) availability and cost of various
25 forms of dementia care services; and

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1 (g) availability of home- and community-
2 based services for individuals diagnosed with Alzheimer's
3 disease or other dementia; and

4 (2) policies and strategies relating to:

5 (a) increasing public awareness of
6 Alzheimer's disease and other dementia;

7 (b) educating providers on the early
8 detection and diagnosis of Alzheimer's disease and other
9 dementia;

10 (c) improving the health care received
11 by individuals diagnosed with Alzheimer's disease and other
12 dementia;

13 (d) improving long-term care, including
14 assisted living, for those with Alzheimer's disease and other
15 dementia;

16 (e) assisting unpaid caregivers for
17 individuals with Alzheimer's disease and other dementia;

18 (f) increasing and improving research on
19 Alzheimer's disease and other dementia; and

20 (g) improving ways in which the state
21 evaluates and adopts policies to assist individuals diagnosed
22 with Alzheimer's disease and other dementia and their families.

23 C. The Alzheimer's disease and other dementia
24 advisory council shall monitor the progress of the
25 implementation of the Alzheimer's disease and other dementia

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1 state plan recommendations. The council shall submit an annual
2 report to the legislative health and human services committee,
3 the legislative finance committee and the office of the
4 governor on the status of the implementation of the state plan
5 recommendations, including any barriers to implementation.

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