

1 SENATE BILL 484

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Martin Hickey

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10 AN ACT

11 RELATING TO HEALTH CARE; AMENDING THE HEALTH CARE PURCHASING
12 ACT TO UPDATE PUBLICLY FUNDED HEALTH CARE AGENCY OBLIGATIONS;
13 DECLARING AN EMERGENCY.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 13-7-5 NMSA 1978 (being Laws 2001,
17 Chapter 351, Section 1) is amended to read:

18 "13-7-5. CONSOLIDATED PURCHASING FOR OTHER PERSONS.--

19 A. Counties, municipalities, state educational
20 institutions and other political subdivisions that wish to use
21 the consolidated purchasing single process for the procurement
22 of health care benefits shall create or enter into an existing
23 association, cooperative or other mutual alliance to create
24 larger pools of eligible participants.

25 B. Counties, municipalities, state educational

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1 institutions and other political subdivisions that wish to use
2 the consolidated purchasing single process shall, through their
3 respective association, cooperative or mutual alliance,
4 participate in the subsequent consolidated purchasing single
5 process with the publicly funded health care agencies.

6 C. Any state higher education institution that
7 chooses not to participate in the consolidated purchasing
8 single process shall provide a report to the legislative
9 finance committee that explains the institution's decision."

10 SECTION 2. Section 13-7-7 NMSA 1978 (being Laws 2001,
11 Chapter 351, Section 3, as amended) is amended to read:

12 "13-7-7. CONSOLIDATED ADMINISTRATIVE FUNCTIONS--
13 BENEFIT.--

14 A. The publicly funded health care agencies
15 [~~political subdivisions and other persons participating in the~~
16 ~~consolidated purchasing single process pursuant to the Health~~
17 ~~Care Purchasing Act may]~~ shall enter into a joint powers
18 agreement pursuant to the Joint Powers Agreements Act [~~with the~~
19 ~~publicly funded health care agencies and political~~
20 ~~subdivisions]~~ to determine assessments or provisions of
21 resources to consolidate, standardize and administer the
22 consolidated purchasing single process and subsequent
23 activities pursuant to the Health Care Purchasing Act.
24 Political subdivisions and other persons participating in the
25 consolidated purchasing single process may enter into the joint

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1 powers agreement created by the publicly funded health care
2 agencies. The publicly funded health care agencies, political
3 subdivisions and other persons participating in the
4 consolidated purchasing single process pursuant to the Health
5 Care Purchasing Act may enter into contracts with nonpublic
6 persons to provide the service of determining assessments or
7 provision of resources for consolidation, standardization and
8 administrative activities.

9 B. The publicly funded health care agencies shall
10 agree to and submit a proposed joint powers agreement to the
11 department of finance and administration and the legislative
12 finance committee no later than July 1, 2023. The legislative
13 finance committee and department of finance and administration
14 may only approve the joint powers agreement if the agreement
15 provides for:

16 (1) the development of at least one common,
17 uniform benefit plan design to be offered to the beneficiaries
18 of each of the publicly funded health care agencies; and

19 (2) increased transparency of consolidated
20 purchasing by:

21 (a) reporting all claims, utilization
22 and payment data to the all-payer claims database; and

23 (b) annual reporting to the legislative
24 finance committee on topics that include the cost and quality
25 of benefits provided by each medical benefits plan.

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1 ~~[B-]~~ C. Each agency shall retain its responsibility
2 to determine policy direction of the benefit plans, plan
3 development, training and coordination with respect to
4 participants and its benefits staff, as well as to respond to
5 benefits eligibility inquiries and establish and enforce
6 eligibility rules.

7 ~~[G-]~~ D. Notwithstanding Subsection ~~[B]~~ C of this
8 section, publicly funded health care agencies, political
9 subdivisions and other persons participating in the
10 consolidated purchasing single process pursuant to the Health
11 Care Purchasing Act shall provide coverage for children, from
12 birth through three years of age, for or under the family,
13 infant, toddler program administered by the early childhood
14 education and care department, provided eligibility criteria
15 are met, for a maximum benefit of three thousand five hundred
16 dollars (\$3,500) annually for medically necessary early
17 intervention services provided as part of an individualized
18 family service plan and delivered by certified and licensed
19 personnel who are working in early intervention programs
20 approved by the early childhood education and care department.
21 No payment under this subsection shall be applied against any
22 maximum lifetime or annual limits specified in the policy,
23 health benefits plan or contract."

24 **SECTION 3. EMERGENCY.**--It is necessary for the public
25 peace, health and safety that this act take effect immediately.

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