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HOUSE JOINT MEMORIAL 15

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

J. PAUL TAYLOR

FOR THE HEALTH CARE REFORM COMMITTEE

A JOINT MEMORIAL

REQUESTING THAT THE HUMAN SERVICES DEPARTMENT ENGAGE IN A BROAD-BASED PROCESS OF REVIEW, WITH FULL PUBLIC INVOLVEMENT, OF THE PROPOSED MEDICAID MANAGED CARE PLAN BEFORE IMPLEMENTING THE PLAN.

WHEREAS, the human services department has submitted a waiver request to the federal government proposing major changes to the New Mexico medicaid program; and

WHEREAS, the department has simultaneously released a request for proposal seeking contractors to provide services to the medicaid population under a capitated arrangement and plans implementation of the contract as early as February 1997; and

WHEREAS, the proposed changes will entail substantially different management and administration of a very large and complex program and potentially put at risk the care medicaid

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1 recipients are currently receiving as well as the fiscal
2 stability of the program; and

3 WHEREAS, the department has reported that serious current
4 and projected shortfalls exist in the funding of medicaid that
5 will require additional legislative appropriations; and

6 WHEREAS, the United States congress is expected to address
7 reform of the medicaid program and reduce the rate of growth,
8 which will limit the amount of federal dollars for New Mexico's
9 medicaid program; and

10 WHEREAS, the legislature and the general public have had
11 inadequate exposure to the details of the medicaid managed care
12 proposal and insufficient opportunity to evaluate the effect of
13 the proposed changes on the beneficiary population or the
14 potential for cost savings; and

15 WHEREAS, the state executive and legislative branches share
16 responsibility for assuring adequate health care coverage for
17 the vulnerable and poor who make up the medicaid population in
18 New Mexico as well as assuring the fiscal viability of the
19 medicaid program; and

20 WHEREAS, a review of the proposal to convert the medicaid
21 program to a capitated, managed care program needs to include a
22 full opportunity for broad public input prior to implementation
23 of the program; and

24 WHEREAS, the legislature should be given the opportunity to
25 review fully significant changes in covered services or

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1 eligibility before the human services department implements
2 revisions to the medicaid program;

3 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
4 STATE OF NEW MEXICO that the human services department, in
5 consultation with other state agencies using medicaid funds,
6 engage in a full review of the proposed medicaid managed care
7 plan before implementing the plan, including:

8 A. the development, through a broad-based public
9 process of a consensus on values to guide medicaid spending,
10 resource allocation and managed care principles;

11 B. an analysis of the impact on other health
12 services and on the full medicaid program of the proposed
13 changes, including:

14 (1) the costs incurred by the state, county
15 indigent funds and private insurance providers and
16 policyholders;

17 (2) the costs of uncompensated care incurred by
18 providers;

19 (3) the effect on the existing network of
20 providers and the infrastructure of health services in rural New
21 Mexico; and

22 (4) the care received by persons affected by
23 proposed changes, including the care received by special needs
24 populations and persons with terminal or progressive illnesses;

25 C. full consideration of whether the program could

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1 reduce costs by entering into contracts for medicaid managed
2 care to cover separate geographic regions in the state, rather
3 than on a complete statewide basis;

4 D. the development and use of a public review
5 process that includes a series of public hearings and seeks
6 testimony and information from a wide range of interested
7 persons, including legislative and executive representatives,
8 advocates for senior citizens, handicapped persons, mental
9 health consumers, low-income individuals and medicaid recipients
10 and providers or potential providers of services for the
11 medicaid program;

12 E. the use of committees or advisory groups as
13 deemed necessary or appropriate to conduct a review of the
14 medicaid managed care proposal for the purpose of responding to
15 proposed changes and making recommendations to the human
16 services department, provided that the membership of any
17 committee reflect the ethnic, economic and geographic diversity
18 of New Mexico; and

19 F. the allowance of additional and sufficient time
20 for full participation of the public to respond to the proposed
21 medicaid managed care plan and increased time prior to
22 implementation of the contract for medicaid managed care; and

23 BE IT FURTHER RESOLVED that the human services department
24 consider and incorporate, where appropriate, the opinions
25 expressed in the public review process, as well as the

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1 recommendations of committees and advisory groups prior to
2 implementing the plan; and

3 BE IT FURTHER RESOLVED that the human services department
4 present a progress report to the appropriate interim legislative
5 committees by September 1, 1997 and that the proposed final
6 findings and conclusions of the human services department be
7 reported to the appropriate interim legislative committees
8 before making final revisions and implementing the plan; and

9 BE IT FURTHER RESOLVED that the waiver request to the
10 federal government proposing major changes to the New Mexico
11 medicaid program be withdrawn or denied by the responsible
12 federal authorities until a full public review process is
13 completed; and

14 BE IT FURTHER RESOLVED that a copy of this memorial be sent
15 to the secretary of human services, the governor, the secretary
16 of the United States department of health and human services and
17 the administrator of the federal health care financing
18 administration.

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 18, 1997

Mr. Speaker:

Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to
whom has been referred

HOUSE JOINT MEMORIAL 15

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

Gary King, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

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Date _____

The roll call vote was 4 For 3 Against

Yes: 4

No: Crook, Dana, Johnson

Excused: Rios, Vaughn, Vigil

Absent: None

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 25, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

HOUSE JOINT MEMORIAL 15

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Max Coll, Chairman

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 5 Against

Yes: 8

No: Bird, Buffett, Knowles, Marquardt, Pearce

Excused: Heaton, Varela, Wallace, Watchman

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 16, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE JOINT MEMORIAL 15

has had it under consideration and reports same with recommendation that it DO PASS.

Respectfully submitted,

Shannon Robinson, Chairman

Adopted _____ Not Adopted _____

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: Ingle

Excused: Adair, Boitano, Vernon

Absent: None

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