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HOUSE BILL 372

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

NICK L. SALAZAR

AN ACT

RELATING TO AGING; ENACTING THE LONG-TERM CARE SERVICES ACT;  
DEVELOPING AN INTEGRATED LONG-TERM CARE SERVICE DELIVERY  
SYSTEM; MAKING AN APPROPRIATION.

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

Section 1. SHORT TITLE. -- This act may be cited as the  
"Long-term Care Services Act".

Section 2. DEFINITIONS. -- As used in the Long-term Care  
Services Act:

A. "consumer" means a long-term care service  
recipient who has a physical or mental illness, injury or  
disability or who suffers from any cognitive impairment that  
restricts or limits the person's activities of daily living or  
instrumental activities of daily living and who is under the  
care of a provider;

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1           B. "long-term care" means home- or community-based  
2 care provided to a consumer that is designed to maintain the  
3 consumer's independence and autonomy in the consumer's  
4 residence and includes support services such as personal,  
5 respite, attendant, residential or institutional care; case  
6 management; services such as meals, homemaker, home repair,  
7 transportation, companion, adult day health care, emergency  
8 response or day habilitation; physical, occupational or speech  
9 therapy; nursing; or help with chores;

10           C. "residence" means a consumer's home, an  
11 independent living center, an adult day health care facility,  
12 a community center, an assisted living facility, an adult  
13 residential care facility, a nursing home or a senior citizen  
14 center; and

15           D. "service delivery system" means a unified  
16 statewide, comprehensive home- and community-based service  
17 delivery system that integrates and coordinates all health,  
18 medical and social services that meet the individual needs of  
19 consumers and support them in remaining in their own homes and  
20 communities.

21           Section 3. INTERAGENCY COMMITTEE CREATED-- COORDINATED  
22 SERVICE DELIVERY SYSTEM - LEAD AGENCY-- SERVICE DELIVERY  
23 SYSTEM --

24           A. The "interagency committee on long-term care"  
25 is created.

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1                   B. Members of the interagency committee on long-  
2 term care shall be the heads of the following agencies or  
3 their designated representatives:

- 4                   (1) the state agency on aging;
- 5                   (2) the human services department;
- 6                   (3) the department of health;
- 7                   (4) the children, youth and families  
8 department;
- 9                   (5) the labor department;
- 10                  (6) the governor's committee on concerns of  
11 the handicapped;
- 12                  (7) the developmental disabilities planning  
13 council; and
- 14                  (8) the department of insurance.

15                   C. The interagency committee on long-term care  
16 shall design and implement a coordinated service delivery  
17 system that fulfills the legislative mandate to develop a  
18 coordinated long-term care system and the executive's  
19 directive to include a long-term care component as part of the  
20 state managed care program.

21                   D. The director of the state agency on aging shall  
22 be the chairperson of the interagency committee on long-term  
23 care.

24                   Section 4. SERVICE DELIVERY SYSTEM - COMPONENTS -  
25 PRINCIPLES. -- The service delivery system shall:

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1           A. ensure the dignity and respect of consumers in  
2 the treatment and support provided;

3           B. tailor home- and community-based long-term care  
4 services and programs to provide full access and coordination  
5 to meet the individual needs of consumers;

6           C. develop and provide home- and community-based  
7 long-term care services and programs of the highest quality;

8           D. provide for consumer self-determination by  
9 providing options for individual choice and consumer input in  
10 home- and community-based long-term care;

11          E. provide consumers with the least restrictive  
12 housing options;

13          F. diversify institutional care options that  
14 explore and enhance appropriate alternatives to institutional  
15 care;

16          G. integrate various funding sources to provide  
17 quality, affordable services to the consumer; and

18          H. ensure that funding for long-term care services  
19 and programs will follow the consumer as he moves through the  
20 service delivery system.

21           Section 5. REPORT.--The state agency on aging shall  
22 present a report to the legislature on the progress of the  
23 interagency committee on long-term care and the status of the  
24 coordinated service delivery system. The report shall include  
25 conclusions and recommendations to further the work of the

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1 interagency committee on long-term care and to complete the  
2 process of integrating the service delivery system in the  
3 state.

4 Section 6. APPROPRIATION. -- Twenty-five thousand dollars  
5 (\$25,000) is appropriated from the general fund to the state  
6 agency on aging for expenditure in fiscal year 1999 for the  
7 purpose of coordinating the work of the interagency committee  
8 on long-term care and preparing a report to be presented to  
9 the legislature and the governor. Any unexpended or  
10 unencumbered balance remaining at the end of fiscal year 1999  
11 shall revert to the general fund.

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
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6 February 4, 1998  
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9 Mr. Speaker:  
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11 Your RULES AND ORDER OF BUSINESS COMMITTEE, to  
12 whom has been referred  
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14  
15 HOUSE BILL 372  
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17 has had it under consideration and finds same to be GERMANE  
18 in accordance with constitutional provisions.  
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21 Respectfully submitted,  
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R. David Pederson, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Gubbels, Hobbs, Lujan, Rodella, Ryan, Sanchez

Absent: None

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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
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6 February 10, 1998  
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8 Mr. Speaker:  
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10 Your BUSINESS AND INDUSTRY COMMITTEE, to whom has  
11 been referred  
12

13 HOUSE BILL 372  
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15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 APPROPRIATIONS AND FINANCE COMMITTEE.

18 Respectfully submitted,  
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22 \_\_\_\_\_  
23 Fred Luna, Chairman  
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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

3 HBI/HB 372

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4 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

6 (Chief Clerk)

(Chief Clerk)

8 Date \_\_\_\_\_

10 The roll call vote was 7 For 0 Against

11 Yes: 7

12 Excused: Kissner, Lutz, Olguin, Varela, Rodella

13 Absent: Getty

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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
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4 February 13, 1998  
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7 Mr. Speaker:  
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9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
10 whom has been referred

11 HOUSE BILL 372  
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13 has had it under consideration and reports same with  
14 recommendation that it DO PASS, amended as follows:  
15

16 1. On page 1, line 13, strike “; MAKING AN  
17 APPROPRIATION”.

18 2. On page 5, strike Section 6 in its entirety.  
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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

3 HARC/HB 372

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Respectfully submitted,

\_\_\_\_\_  
Max Coll, Chairman

Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 10 For 0 Against

Yes: 10

Excused: Bird, Buffett, Coll, Marquardt, Picraux, Townsend, Vigil,  
Wallace

Absent: None

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

HB 372/a

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4 February 16, 1998

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6 Mr. President:

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8 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to  
9 whom has been referred

10 HOUSE BILL 372, as amended

11  
12 has had it under consideration and reports same with  
13 recommendation that it DO PASS, amended as follows:

14  
15 1. On page 3, line 18, strike "and the executive's" and  
16 insert in lieu thereof a period.

17  
18 2. On page 3, strike lines 19 through 23 and insert in  
19 lieu thereof:

20 "D. The governor shall appoint a chairperson from the  
21 membership of the interagency committee on long-term care."

22  
23 3. On page 3, line 25, strike "The service delivery system  
24 shall:" and insert in lieu thereof:

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

SCORC/HB 372

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"The interagency committee on long-term care shall take into consideration, within available resources, the following principles in the design, development and implementation of the integrated long-term care delivery system to:".

4. On page 4, lines 11 and 12, strike Subsection E and insert a new Subsection E to read:

"E. implement a state policy that defines the state's obligation regarding long-term care by integrating applicable state and federal mandates related to long-term care services;".

5. On page 4, line 15, after the semicolon insert "and".

6. On page 4, line 17, strike "; and" and insert in lieu thereof a period and on lines 18 through 20, strike Subsection H in its entirety.

7. On page 4, line 21, strike "state agency on aging" and insert in lieu thereof "chairperson".

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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SCORC/HB 372

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Respectfully submitted,

Roman M. Maes, III, Chairman

Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 10 For 0 Against

Yes: 10

No: 0

Excused: None

Absent: None

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SECOND SESSION, 1998

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