

**MINUTES**  
**of the**  
**EIGHTH MEETING**  
**of the**  
**LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE**

**October 27, 2020**  
**Video Conference Meeting**

The eighth meeting of the Legislative Health and Human Services Committee was called to order by Senator Gerald Ortiz y Pino at 8:08 a.m. on October 27, 2020 by video and audio conference via an online platform.

**Present**

Sen. Gerald Ortiz y Pino, Chair  
Rep. Deborah A. Armstrong, Vice Chair  
Rep. Gail Armstrong  
Rep. Joanne J. Ferrary  
Sen. Bill B. O'Neill

**Absent**

Sen. Gregg Fulfer  
Rep. D. Wonda Johnson  
Sen. Cliff R. Pirtle

**Advisory Members**

Rep. Phelps Anderson  
Rep. Karen C. Bash  
Rep. Micaela Lara Cadena  
Rep. Art De La Cruz  
Rep. Rebecca Dow  
Rep. Miguel P. Garcia  
Sen. Gay G. Kernan  
Sen. Linda M. Lopez  
Rep. Tara L. Lujan  
Sen. Michael Padilla  
Sen. Mary Kay Papen  
Sen. Nancy Rodriguez  
Rep. Patricia Roybal Caballero  
Sen. Antoinette Sedillo Lopez  
Rep. Linda Serrato  
Sen. William P. Soules  
Sen. Elizabeth "Liz" Stefanics  
Rep. Elizabeth "Liz" Thomson  
Rep. Christine Trujillo

Rep. Rachel A. Black  
Rep. Zachary J. Cook  
Rep. Doreen Y. Gallegos  
Rep. Dayan Hochman-Vigil  
Rep. Rodolpho "Rudy" S. Martinez  
Sen. Mark Moores  
Rep. Andrea Romero  
Rep. Gregg Schmedes  
Sen. Bill Tallman

**Guest Legislators**

Rep. Willie D. Madrid  
Rep. Marian Matthews

## **Staff**

Andrea Lazarow, Bill Drafter, Legislative Council Service (LCS)

Sabina Gaynor, Bill Drafter, LCS

Ariel MacMillan-Sanchez, Bill Drafter, LCS

## **Handouts**

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

## **Tuesday, October 27**

### **Welcome and Introductions (8:08 a.m.)**

Senator Ortiz y Pino and Representative Deborah A. Armstrong welcomed committee members and attendees.

### **Childhood Disease Vaccination Update and Flu Season Preparedness (8:20 a.m.)**

Janis Gonzales, M.D., M.P.H., F.A.A.P., bureau chief and medical director, Family Health Bureau, Department of Health (DOH), and Daniel Burke, bureau chief, Infectious Disease Bureau, Public Health Division, DOH, provided a presentation on childhood disease vaccination and flu season preparedness. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20102720%20Item%201%20handout.pdf>.

Questions and comments from committee members addressed the following topics:

- how vaccination data from 2020 compare to previous years, specifically before the pandemic;
- a request for follow-up information on increased efforts for childhood immunization;
- whether panelists have noticed infection patterns in populations that are not vaccinating children;
- what information is provided and whether this information is provided to Spanish speakers;
- whether the panelists are working with the federal Indian Health Service;
- what is being done to contact families to indicate that a child is falling behind in vaccinations;
- what the panelists would do to improve vaccination rates if sufficient funding were available;
- that efforts will still need to be made to improve other disease vaccination rates when a COVID-19 vaccine becomes available; and
- that failure to properly store vaccines is an issue that the DOH needs to consider, as this can be costly and can be a safety risk.

### **COVID-19 Vaccine Planning in New Mexico (9:03 a.m.)**

Mr. Burke; Chris Emory, bureau chief, Bureau of Health Emergency Management, Epidemiology and Response Division, and operations co-lead, COVID-19 Vaccine Planning Group, DOH; Billy Jimenez, acting secretary, DOH; and Aja Sanzone, M.D., M.P.H., medical director, Infectious Disease Bureau, Public Health Division, and lead, COVID-19 Vaccine Planning Group, DOH, provided a presentation on COVID-19 vaccine planning. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20102720%20Item%202%20handout.pdf>.

Questions and comments from committee members addressed the following topics:

- whether the state has proper vaccine storage for rural populations;
- whether a COVID-19 vaccine would be mandated;
- whether there are plans for providing the same access to information in communities that lack internet access;
- the anticipated time line for preparing and administering the vaccine;
- whether states are competing for access to a vaccine;
- whether funding is needed to facilitate administration of the vaccine;
- rules for school-based health clinics in distributing the vaccine;
- whether all vaccine types will be administered in the state and if there is a plan to do so; and
- a request that panelists share planning documentation with the public to build confidence and adjust expectations.

### **The Biopharmaceutical Industry's Efforts to Beat COVID-19 (10:20 a.m.)**

Katelin Lucariello, director, State Policy, Rocky Mountain Region, Pharmaceutical Research and Manufacturers of America, provided a presentation on the biopharmaceutical industry's efforts to beat COVID-19. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20102720%20Item%203%20PhRMA%20COVID%20Presentation.pdf>.

Questions and comments from committee members addressed the following topics:

- how long it took to determine vaccine effectiveness for previous viruses;
- what adverse events have been reported during the vaccine trial period;
- that no one is forced to participate in a vaccine trial;
- whether there will be multiple variations of a COVID-19 vaccine;
- how the panelists monitor how a vaccine is doing in a state;
- whether any information is to be made public regarding vaccine trials; and
- if an effective vaccine is developed outside of the United States, whether it will be subjected to the same testing methods for approval in the United States.

### **Perinatal Emergency Recommendations, Considering Disparities and Outcomes: COVID-19 and Beyond (11:10 a.m.)**

Questions and comments from committee members addressed the following topics:

- whether women have been turned away from hospitals or if there has been increased need for doula services for home births;
- whether there are plans in place for women who cannot give birth at home during the COVID-19 pandemic;
- whether hospitals have been resistant to midwives and doulas;
- how the state continues to ensure the rights of expectant mothers across different settings;
- that communities of color experience poor health outcomes, including birth rates;
- whether Medicaid reimburses for lactation consultants;
- whether there are plans for legislation to mandate coverage of midwife consultants; and
- whether the panelists are observing increased telehealth usage.

### **Approval of Minutes (12:45 p.m.)**

Upon a motion by Representative Deborah A. Armstrong, seconded by Senator O'Neill and without objection, the minutes of the September 24, 2020 meeting were approved.

### **Public Comment (1:22 p.m.)**

Comments from members of the public included the following:

- Dr. Cosette Wheeler shared data from the human papillomavirus registry and requested additional support from the General Fund;
- Adrienne Barboa, Strong Families New Mexico, stated that there is a need for continued support for frontline care workers, particularly people of color;
- Kat Sanchez, Bold Futures, expressed support for the comment made by Ms. Barboa;
- Monica Esparza, Breastfeeding Task Force, stated that the COVID-19 pandemic has exacerbated breastfeeding issues that already existed; and
- Sunshine Muse, New Mexico Birth Equity Collaborative, expressed support for emergency preparedness legislation proposed but indicated that some of the policies were problematic and seem to be rooted in prejudice.

### **Essential Workers (1:45 p.m.)**

Stephanie Welch, workers' rights director, New Mexico Center on Law and Poverty; Jacob Vigil, M.S.W., research and policy analyst, New Mexico Voices for Children; Viviana Arciniega, New Mexico CAFé; Gabriela Carrillo, OLE; Jesus Ramirez, United Worker Center, Somos Un Pueblo Unido; and Romulo Montes, United Worker Center, Somos Un Pueblo Unido, provided a presentation on the effects of the COVID-19 pandemic on essential workers. The presentation can be found here:

<https://www.nmlegis.gov/handouts/LHHS%20102720%20Item%205%20Essential%20Workers%20v2.pdf>.

Questions and comments from committee members addressed the following topics:

- whether the panelists have reached out to the Economic Recovery Council;
- whether the maximum sick leave hours in the proposed legislation could be carried over to the next year;
- that this panel highlights how minorities and impoverished populations are disproportionately affected by the lack of paid sick leave; during the COVID-19 pandemic, the effects are undeniable;
- whether this legislation was modeled on Arizona and Colorado statutes;
- what legal rights to paid sick leave workers in the state have;
- how this legislation would be enforced;
- that victims of crime need to be able to keep themselves safe while taking paid sick leave;
- how New Mexico compares to other states with regard to paid sick leave;
- a request that the panelists distribute comparative data for sick leave in other states; and
- that during the COVID-19 pandemic, paid sick leave is a public health issue.

**University of New Mexico (UNM) Poison Control and Office of the Medical Investigator (3:26 p.m.)**

Don Godwin, dean, College of Pharmacy, and executive associate dean for education, associate professor, Department of Pharmaceutical Sciences, UNM; Susan Smolinske, Pharm.D., D.A.B.A.T., director, New Mexico Poison and Drug Information Center, and professor, College of Pharmacy, UNM Health Sciences Center; and Heather Jarrell, interim chief medical examiner, director of neuropathology and associate professor of pathology, UNM Health Sciences Center, provided a presentation to the committee on COVID-19 data. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=LHHS&Date=10/27/2020&ItemNumber=6>.

Questions and comments from committee members addressed the following topics:

- whether federal Coronavirus Aid, Relief, and Economic Security Act money is useful to cover COVID-19 costs;
- whether grief and trauma legislation funded through Project ECHO is still ongoing;
- what the legislature can do to reduce fentanyl abuse and overdose;
- whether deaths could be identified post-mortem as COVID-19-related;
- whether there is funding already in the budget or will be requested;

- the cost of a permit for cremation; and
- how long is reasonable to wait to determine if there is a trend in gun-related deaths.

**Adjournment**

There being no further business before the committee, the meeting adjourned at 4:56 p.m.