

AN ACT  
RELATING TO HEALTH; CREATING THE HOLLY GONZALES EXPERIMENTAL  
TREATMENT FUND; MAKING AN APPROPRIATION; DECLARING AN  
EMERGENCY.

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

Section 1. HOLLY GONZALES EXPERIMENTAL TREATMENT FUND  
CREATED. --

A. The "Holly Gonzales experimental treatment  
fund" is created in the state treasury.

B. The Holly Gonzales experimental treatment fund  
shall be administered by the secretary of health. The money  
in the fund shall be used solely for the purpose of paying  
for the costs of federal drug administration approved  
experimental treatments or procedures for children with  
catastrophic, debilitating or terminal illnesses. An  
attending physician of a patient seeking coverage of a  
treatment or procedure from the fund shall certify to the  
secretary of health that conventional treatments or  
procedures cannot control or cure the illness, the expected  
outcome for the patient is death and the experimental  
treatment or procedure has a reasonable chance of either  
curing or controlling the illness for an extended period of  
time. The patient shall provide documentation from his  
medical insurer that the experimental treatment is not  
included in the policy covering the patient.

C. The patient shall submit receipts to the secretary of health for payment from the Holly Gonzales experimental treatment fund for the direct expenses of the experimental treatment or procedure and for associated expenses necessarily incurred in obtaining the treatment or procedure.

D. Disbursements from the Holly Gonzales experimental treatment fund shall be by warrant drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of health.

Section 2. APPROPRIATION. --Five hundred thousand dollars (\$500,000) is appropriated from the general fund to the Holly Gonzales experimental treatment fund for expenditure in fiscal years 2001 and 2002 for carrying out the purposes of the fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

Section 3. EMERGENCY. --It is necessary for the public peace, health and safety that this act take effect immediately. \_\_\_\_\_