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AN ACT  
RELATING TO TELEHEALTH; ESTABLISHING A TELEHEALTH COMMISSION;  
PRESCRIBING POWERS, DUTIES AND MEMBERSHIP.

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

Section 1. SHORT TITLE.--This act may be cited as the  
"New Mexico Telehealth Commission Act".

Section 2. PURPOSE.--The purpose of creating a  
telehealth commission is to encourage a single, coordinated  
statewide effort to create a telehealth system that:

A. provides and supports health care delivery,  
diagnosis, consultation, treatment, transfer of medical data  
and education when distance separates a patient and a health  
care provider; multiple health care providers involved in  
patient care; and health care providers and educational or  
professional activities;

B. addresses the problems of provider distribution  
in medically underserved areas of the state;

C. strengthens the health infrastructure;

D. attracts and retains health care providers in  
rural areas; and

E. helps reduce costs associated with health care  
and make health care more affordable.

Section 3. DEFINITIONS.--As used in the New Mexico  
Telehealth Commission Act:

1           A. "commission" means the New Mexico telehealth  
2 commission; and

3           B. "telehealth" means the use of electronic  
4 information, imaging and communication technologies,  
5 including interactive audio, video, data communications as  
6 well as store-and-forward technologies, to provide and  
7 support health care delivery, diagnosis, consultation,  
8 treatment, transfer of medical data and education when  
9 distance separates the patient and the health care provider.

10           Section 4. TELEHEALTH COMMISSION CREATED--POWERS AND  
11 DUTIES--MEMBERSHIP.--

12           A. The "New Mexico telehealth commission" is  
13 created. The commission is administratively attached to the  
14 department of health, which shall work in conjunction with  
15 the New Mexico health policy commission, in accordance with  
16 the Executive Reorganization Act.

17           B. The commission shall consist of no more than  
18 twenty-five members with members, one-third of whom shall be  
19 from rural areas, chosen from the following categories, all  
20 of whom shall be appointed by and serve at the pleasure of  
21 the governor:

- 22                   (1) health care facilities;
- 23                   (2) health care practitioners;
- 24                   (3) health care workforce educators;
- 25                   (4) telehealth technology experts;

- 1 (5) the telecommunications industry;
- 2 (6) the business community;
- 3 (7) health care insurance providers or other
- 4 health care payers;
- 5 (8) Indian nations, tribes and pueblos;
- 6 (9) legislators;
- 7 (10) state agencies responsible for:
  - 8 (a) telecommunications;
  - 9 (b) public health;
  - 10 (c) medicaid and social services;
  - 11 (d) workforce development;
  - 12 (e) children's health and social
  - 13 services;
  - 14 (f) services for the elderly and
  - 15 disabled;
  - 16 (g) criminal justice;
  - 17 (h) health policy and planning; and
  - 18 (i) education; and
- 19 (11) other members as the governor may
- 20 appoint to ensure appropriate cultural and geographic
- 21 representation and the interests of the public.

22 C. The commission shall:

- 23 (1) identify how telehealth can be used to
- 24 increase access to care and implement state comprehensive
- 25 health plans;

1                   (2) identify barriers to telehealth  
2 utilization and expansion, including payment, infrastructure,  
3 training and workforce availability;

4                   (3) inventory the state's telehealth assets,  
5 map available telecommunications infrastructure and examine  
6 the financial impact of failing to develop the state's  
7 telehealth capacities;

8                   (4) coordinate public and private sector  
9 initiatives to enhance networking, portal development and  
10 connectivity and to expand telehealth and telecommunications  
11 capacity;

12                   (5) establish such subcommittees as the  
13 commission deems necessary to fulfill its purpose, powers and  
14 duties or to address specific telehealth issues;

15                   (6) identify specific actions to increase  
16 collaborative efforts and public-private partnerships to  
17 increase the use of telehealth for health care access  
18 development, patient outcome improvement, patient and  
19 workforce education and health care practitioner recruitment  
20 and development;

21                   (7) develop and disseminate specific  
22 telehealth standards and guidelines to ensure quality of  
23 care, positive health outcomes, appropriate use of technology  
24 and protection of privacy and confidentiality;

25                   (8) review and comment on initiatives,

1 projects or grant applications to ensure telehealth standards  
2 and guidelines are met and maximum collaboration and  
3 cooperation across the state is encouraged;

4 (9) meet at least once each quarter at the  
5 call of the chair or vice chair, who shall be designated by  
6 the governor from among the membership; and

7 (10) report annually to the governor and the  
8 legislature on the state of the telehealth system and the  
9 adequacy and allocation of telehealth services throughout the  
10 state, providing the governor and the legislature with  
11 specific recommendations for improving telehealth and related  
12 service systems.

13 D. A majority of the members of the commission  
14 constitutes a quorum for the transaction of business. \_\_\_\_\_