

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE MEMORIAL 94

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CHARGE THE
INTERIM LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE WITH
CONDUCTING HEARINGS TO INVESTIGATE AND MAKE RECOMMENDATIONS ON
THE HUMAN SERVICES DEPARTMENT'S CONFIGURATION OF MEDICAID, THE
STATE CHILDREN'S HEALTH INSURANCE PROGRAM AND THE STATE
COVERAGE INSURANCE PROGRAM PURSUANT TO NEW FEDERAL LAWS.

WHEREAS, the federal Children's Health Insurance Program
Reauthorization Act of 2009 significantly increases federal
funding, grants and bonuses to states for enrolling children
into medicaid and the state children's health insurance
program; and

WHEREAS, the federal American Recovery and Reinvestment
Act of 2009 enhances the federal medical assistance percentage
rate for state expenditures on medicaid; and

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1 WHEREAS, New Mexico has the second highest uninsured rate
2 in the nation; and

3 WHEREAS, almost fifty thousand New Mexico children who are
4 estimated to be eligible for medicaid and the state children's
5 health insurance program are not enrolled; and

6 WHEREAS, approximately one hundred ninety thousand
7 eligible adults are not enrolled in medicaid or the state
8 coverage insurance program; and

9 WHEREAS, enrollment in medicaid has dropped over the last
10 five years for the poorest families in the state while many
11 low-income families continue to be ineligible under the state
12 plan; and

13 WHEREAS, the state coverage insurance program for adults
14 discontinued enrollments last year, leaving thousands of people
15 on its waiting list and without health coverage; and

16 WHEREAS, more than eighteen thousand people are currently
17 on waiting lists to receive services through the medicaid
18 developmental disabilities and disabled and elderly waivers,
19 while eligible individuals wait years before receiving
20 services; and

21 WHEREAS, the recent passage of the Children's Health
22 Insurance Program Reauthorization Act of 2009 and the American
23 Recovery and Reinvestment Act of 2009 substantially increases
24 funding allotments and matching rates to New Mexico, providing
25 critical new opportunities for the state to maximize enrollment

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1 in medicaid and the state children's health insurance program,
2 as well as to extend the waiver program for state coverage
3 insurance; and

4 WHEREAS, performance bonuses will be awarded to states
5 that increase enrollment by implementing administrative
6 practices that are designed to reduce enrollment barriers and
7 streamline the renewal process, providing the state with
8 opportunities to implement new practices that would ensure that
9 eligible New Mexicans can enroll and receive benefits; and

10 WHEREAS, additional grants will be awarded to states and
11 community organizations that conduct outreach campaigns to
12 reach underserved children; and

13 WHEREAS, the state will be required under the Children's
14 Health Insurance Program Reauthorization Act of 2009 to report
15 data annually on the enrollment of children in medicaid and the
16 state children's health insurance program, including data on
17 eligibility criteria, enrollment and retention, and denials and
18 redeterminations of eligibility; and

19 WHEREAS, new provisions in the federal laws allow for the
20 state to expand eligibility for children, women, families and
21 adults in medicaid and the state children's health insurance
22 program; and

23 WHEREAS, the state must make critical decisions that will
24 affect eligibility policies, budgeting, administrative
25 practices and outreach and enrollment; and

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1 WHEREAS, public input would enhance the decision-making
2 process for determining how the medicaid and other state-
3 administered health insurance programs should allocate funds,
4 select coverage options, implement new administrative practices
5 and target outreach; and

6 WHEREAS, the state must act within fixed time frames over
7 the year to submit applications and amend its state plan to
8 implement options in medicaid and the state children's health
9 insurance program, and to extend the waiver program for state
10 coverage insurance; and

11 WHEREAS, the state must act immediately to ensure that it
12 receives federal allotments, grants and bonuses before such
13 funds are exhausted;

14 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
15 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico
16 legislative council be requested to charge the interim
17 legislative health and human services committee in its work
18 plan with investigating the performance of the human services
19 department with respect to configuring the medicaid, state
20 coverage insurance and state children's health insurance
21 programs pursuant to the federal American Recovery and
22 Reinvestment Act of 2009 and the Children's Health Insurance
23 Program Reauthorization Act of 2009; and

24 BE IT FURTHER RESOLVED that the legislative health and
25 human services committee investigate and make recommendations

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1 for increasing enrollment and maximizing resources provided by
2 the federal government, selecting and implementing new
3 eligibility and coverage policies and administrative practices
4 and reporting data on enrollment and retention; and

5 BE IT FURTHER RESOLVED that the legislative health and
6 human services committee invite the participation of the staff
7 of the legislative finance committee, as well as the membership
8 of the standing house health and government affairs committee,
9 the house appropriations and finance committee, the senate
10 public affairs committee and the senate finance committee at
11 hearings with respect to configuring medicaid, state coverage
12 insurance and state children's health insurance program
13 eligibility and coverage policies, administrative practices and
14 budgetary matters pursuant to the new federal laws; and

15 BE IT FURTHER RESOLVED that the legislative health and
16 human services committee be charged with calling upon the
17 secretary of human services; the director of the medical
18 assistance division of the human services department; the
19 director of the income support division of the human services
20 department; and representatives of nonprofit community or
21 advocacy organizations that represent medicaid recipients and
22 have policy expertise on these matters to give testimony and
23 make recommendations with respect to configuring medicaid,
24 state coverage insurance and state children's health insurance
25 program eligibility and coverage policies, administrative

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1 practices and budgetary matters pursuant to the new federal
2 laws; and

3 BE IT FURTHER RESOLVED that the human services department
4 be requested to supply its analysis of the new federal laws;
5 and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the governor, the co-chairs of the New Mexico
8 legislative council, the secretary of human services, the chair
9 and vice chair of the interim legislative health and human
10 services committee, the chair and vice chair of the legislative
11 finance committee, the chair of the standing house health and
12 government affairs committee, the chair of the standing house
13 appropriations and finance committee, the chair of the standing
14 senate public affairs committee and the chair of the standing
15 senate finance committee.