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SENATE MEMORIAL 72

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Gerald Ortiz y Pino

A MEMORIAL

REQUESTING THE HUMAN SERVICES DEPARTMENT TO CONVENE A WORK GROUP ON THE MI VIA SELF-DIRECTED HOME- AND COMMUNITY-BASED MEDICAID WAIVER PROGRAM TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING THE MI VIA PROGRAM'S SERVICES AND SUSTAINABILITY.

WHEREAS, in 2006, the human services department submitted an application and received approval from the federal centers for medicare and medicaid services for two new self-directed home- and community-based medicaid services waivers, known together as the Mi Via program; and

WHEREAS, in the two years leading up to the approval of Mi Via, the self-directed waiver program, the human services department, the department of health and the aging and long-term services department collaborated with and facilitated a stakeholder group consisting of potential participants in Mi

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1 Via and their families, advocates, disability groups and other  
2 stakeholders to develop the Mi Via program, which resulted in  
3 an innovative, well-designed and self-directed waiver program;  
4 and

5 WHEREAS, after the implementation of Mi Via, the  
6 self-directed waiver program and the departments appointed a Mi  
7 Via task force for growth, nurturing and sustainability that  
8 continued to provide Mi Via participants and stakeholders with  
9 input into the operation of Mi Via; and

10 WHEREAS, in 2009, the Mi Via task force collaborated with  
11 the departments to make changes to the Mi Via program and  
12 submit a renewal application for the home- and community-based  
13 services self-directed program, resulting in approval of the  
14 new application by the centers for medicare and medicaid  
15 services and making a number of changes to the Mi Via program;  
16 and

17 WHEREAS, in February 2011, the Mi Via task force for  
18 growth, nurturing and sustainability was changed to become the  
19 ongoing Mi Via advisory committee with the purpose to "work  
20 with the state and community, to keep the philosophy of self-  
21 direction as the basis of all discussions about the Mi Via  
22 waiver to continuously improve the quality of life for all  
23 participants"; and

24 WHEREAS, after the first few years of the Mi Via program,  
25 data showed that the cost of services for Mi Via participants

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1 in the aggregate was less than the cost of services to  
2 recipients of services from the traditional home- and  
3 community-based services waivers, thus making self-direction an  
4 important approach to take to help the state sustain medicaid-  
5 funded long-term services; and

6 WHEREAS, the ongoing implementation of Mi Via is  
7 characterized by high administrative costs due to the  
8 complexity of the program, and the departments are concerned  
9 that this cost will not be sustainable and would like to find  
10 ways to bring the administrative costs down; and

11 WHEREAS, Mi Via participants are responsible for  
12 implementing and managing their service and support plans and  
13 thus have key insights into how Mi Via is working and how  
14 efficiencies and improvements could be made; and

15 WHEREAS, the state has faced and will continue to face  
16 challenges to sustain medicaid funding for long-term services  
17 and needs to find solutions to meeting the long-term care needs  
18 of all eligible citizens of New Mexico now and in the future;  
19 and

20 WHEREAS, it has been demonstrated that the best approach  
21 for finding solutions to administrative cost efficiencies,  
22 improving Mi Via and growth in Mi Via is through a  
23 collaborative process involving the departments, Mi Via  
24 participants and stakeholders together;

25 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE

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1 OF NEW MEXICO that the human services department be requested  
2 to convene a collaborative work group to study the  
3 implementation of the Mi Via self-directed waiver program and  
4 make recommendations for realizing cost efficiencies in the  
5 administration of the program, improvements in implementing the  
6 program and achieving growth in the program as a way to help  
7 sustain medicaid funding for long-term services so the state  
8 can meet the long-term care needs of all eligible New Mexico  
9 residents now and in the future; and

10 BE IT FURTHER RESOLVED that the secretaries of human  
11 services, health, aging and long-term services and any other  
12 department that is involved in Mi Via appoint staff to the work  
13 group; and

14 BE IT FURTHER RESOLVED that the secretary of human  
15 services request Mi Via contractors; the chair and vice chair  
16 of the legislative finance committee; the chair and vice chair  
17 of the legislative health and human services committee; members  
18 of the Mi Via advisory committee; members of the disability  
19 coalition; Mi Via participants living with developmental  
20 disabilities, medical fragility, physical disability, HIV/AIDS  
21 and brain injury; family members of Mi Via participants;  
22 advocates for Mi Via participants and other stakeholders; Mi  
23 Via consultants; Mi Via direct-support staff; and providers to  
24 join the work group; and

25 BE IT FURTHER RESOLVED that the secretary of human

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1 services assure that fifty percent plus one members of the work  
2 group are Mi Via participants, Mi Via family members and  
3 advocates; and

4 BE IT FURTHER RESOLVED that the state agencies, the  
5 legislative finance committee staff and the legislative council  
6 service staff provide assistance as appropriate to carry out  
7 the work of the Mi Via work group; and

8 BE IT FURTHER RESOLVED that copies of this memorial be  
9 transmitted to the secretaries of human services, health and  
10 aging and long-term services; and the chair and vice chair of  
11 the legislative finance committee.