

LFC Requester:

Eric Chenier

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1/24/24

Bill No: SB14

Sponsor: Sen. Stefanics
Short Title: HCA Reorganization

Agency Name and Code HSD-630

Number: _____

Person Writing Alex Castillo Smith

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
\$0	\$0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
\$0	\$0	\$0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$0	TBD	TBD	TBD	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 14 (SB14):

- Changes statutory from the Human Services Department to the Health Care Authority to conform with the Health Care Authority Act;
- Adds the Director of the State Health Benefits Division as a member of the Board of the New Mexico Retiree Health Care Authority;
- Changes the definition of “consolidated purchasing” to mean a single process for procurement and contracting;
- Clarifies that health systems data may be shared with the Health Care Authority;
- Adds facility licensing authority to the general powers of the Health Care Authority to conform with the Health Care Authority Act;
- Transfers the Health Care Affordability fund from the Office of the Superintendent of Insurance (OSI) to the Health Care Authority;
- Clarifies that the State Health Benefits Division is part of the Health Care Authority by removing and replacing references to the Risk Management Division; and
- Makes numerous technical corrections to existing statute to clarify the organizational structure of the Health Care Authority to confirm with the Health Care Authority Act.

FISCAL IMPLICATIONS There are some reassignments of functions from the Department of Health and General Services Department to the Health Care Authority. Some of these functions have staff and funding attached via the HCA’s FY25 Executive Budget Recommendation. Functions that may require additional staff, whether to administer funds, oversee programs, or provide administrative support, may have a fiscal impact to HCA. The fiscal impact remains to be determined.

SIGNIFICANT ISSUES

Page 34, Section 21, subsection 24-1-3 NMSA. Lines 9 through 13 have been struck through, inadvertently removing the Division of Health Improvement’s (DHI) oversight authority: “~~J. maintain and enforce rules for the licensure of health facilities; K. ensure the quality and accessibility of health care services and the provision of health care when health care is otherwise unavailable;~~”

The language that was removed provides DHI its authority to enforce rules and regulations for health facilities and to ensure that quality services are provided. The HCA recommends

that this language be re-added to the bill.

To maintain the confidentiality of reports related to allegations of abuse, neglect and exploitation, the HCA recommends adding on page 52, subsection N. line 13 “or home and community-based Medicaid waiver service providers” after the word “facilities.”

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.