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SENATE BILL

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; REQUIRING THE DEPARTMENT OF HEALTH TO PROVIDE AN ANNUAL REPORT ON THE DEVELOPMENTAL DISABILITIES MEDICAID HOME- AND COMMUNITY-BASED WAIVER PROGRAM; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] DEVELOPMENTAL DISABILITIES-- MEDICAID HOME- AND COMMUNITY-BASED SUPPORTS AND SERVICES-- ANNUAL REPORT WITH FIVE-YEAR COST PROJECTIONS.--

A. By October 1, 2016 and by October 1 of each year thereafter, the department of health shall provide a report to the legislative finance committee and the legislative health and human services committee on the supports and services provided pursuant to the developmental disabilities medicaid home- and community-based waiver program. The report shall

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1 include:

2 (1) for each of the five most recent state  
3 fiscal years, the number of individuals who:

4 (a) were served in the developmental  
5 disabilities medicaid home- and community-based waiver program;

6 (b) received developmental disabilities  
7 medicaid home- and community-based waiver services for the  
8 first time that year based on an approved initial service plan,  
9 including information on the average length of time that  
10 individuals for whom services were newly approved during the  
11 fiscal year had awaited allocation on the developmental  
12 disabilities medicaid home- and community-based waiver waiting  
13 list before plan approval;

14 (c) were awaiting allocation at the end  
15 of the fiscal year;

16 (d) were added to the waiting list,  
17 sorted by status category; and

18 (e) were removed from the waiting list  
19 due to reasons other than allocation to the developmental  
20 disabilities medicaid home- and community-based waiver program  
21 services;

22 (2) for each of the five most recent state  
23 fiscal years, the amount of state funds, if any, that the  
24 legislature has appropriated that:

25 (a) exceeds the previous state fiscal

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1 year's allocation of state funds for the purpose of increasing  
2 the number of individuals served in the developmental  
3 disabilities medicaid home- and community-based waiver program  
4 for each state fiscal year; and

5 (b) has reverted at the end of the state  
6 fiscal year;

7 (3) for each of the five most recent state  
8 fiscal years, the amount of state and federal funds expended  
9 for developmental disabilities medicaid home- and community-  
10 based waiver program services;

11 (4) a projection of the number of registrants  
12 who will be in awaiting allocation status at the end of each of  
13 the upcoming five state fiscal years, based on:

14 (a) historical data on the annual  
15 average number of registrations for the developmental  
16 disabilities waiver that were confirmed to meet the eligibility  
17 definition through match determination and moved to awaiting  
18 allocation status; and

19 (b) other relevant program data; and

20 (5) a projection of the amount of additional  
21 state funding required so that by the end of the upcoming  
22 five-year period, individuals on the waiting list awaiting  
23 allocation have a registration date not more than three years  
24 earlier than the date of the end of that five-year period.

25 B. As used in this section:

.202198.1

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1                   (1) "awaiting allocation" means that an  
2 individual on the waiting list for the developmental  
3 disabilities medicaid home- and community-based waiver program  
4 has been determined by the department of health through match  
5 determination to meet the eligibility definition for the  
6 program;

7                   (2) "match determination" means the process to  
8 verify that an individual has a condition that meets the  
9 developmental disabilities medicaid home- and community-based  
10 waiver eligibility definition; and

11                   (3) "registration" means the submission of a  
12 registration form to apply for the developmental disabilities  
13 medicaid home- and community-based waiver program.

14                   **SECTION 2. APPROPRIATION.**--Twenty-five million dollars  
15 (\$25,000,000) is appropriated from the general fund to the  
16 department of health for expenditure in fiscal year 2017 to  
17 fund supports and services for individuals enrolled in a  
18 developmental disability medicaid home- and community-based  
19 waiver program and to allow enrollment of eligible individuals  
20 listed on the department of health's central registry who are  
21 currently awaiting allocation of supports and services through  
22 the developmental disability medicaid waiver program. Any  
23 unexpended or unencumbered balance remaining at the end of  
24 fiscal year 2017 shall revert to the general fund.