

1 A MEMORIAL

2 RECOGNIZING THE IMPORTANCE OF THE MEDICAID PROGRAM, OPPOSING
3 DRASTIC REDUCTIONS IN MEDICAID ELIGIBILITY AND BENEFITS AND
4 REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CREATE A
5 TASK FORCE TO DEVELOP RECOMMENDATIONS TO IMPROVE THE MEDICAID
6 PROGRAM CONSISTENT WITH AVAILABLE RESOURCES AND FEDERAL
7 HEALTH CARE REFORM REQUIREMENTS.

8
9 WHEREAS, medicaid and the state coverage insurance
10 program currently provide vital health care services to more
11 than five hundred thousand New Mexicans who are children,
12 people with disabilities, the elderly and low-income
13 families; and

14 WHEREAS, these programs provide a foundation for health
15 care coverage in New Mexico, a key role that will continue
16 should current national health care reform proposals become
17 law; and

18 WHEREAS, the human services department issued a concept
19 paper on December 3, 2009 that recommends a complete
20 restructuring of medicaid and the state coverage insurance
21 program that, if implemented, would greatly reduce
22 eligibility for medicaid and the availability of medically
23 necessary services and would create barriers to obtaining
24 access to needed health care services; and

25 WHEREAS, this concept paper proposes drastic changes

1 that have not been evaluated for their impact on services to
2 currently eligible populations, costs to health care
3 consumers and providers, legal liability for the state and
4 the health care delivery system, particularly in rural areas;
5 and

6 WHEREAS, the human services department is also
7 developing plans to convert medicaid personal care option
8 services from a state plan benefit to a waiver program that
9 would allow the department to limit enrollment and create a
10 waiting list for this program; and

11 WHEREAS, the personal care option is the only major
12 community-based long-term service program without a long
13 waiting list and currently allows more than fourteen thousand
14 people to receive care at home rather than in a nursing home;
15 and

16 WHEREAS, structural changes to medicaid that result in
17 more uninsured people in New Mexico, barriers to obtaining
18 access to medically necessary services and higher costs for
19 state residents due to increased uncompensated care costs and
20 higher private insurance premiums should not be implemented;
21 and

22 WHEREAS, the funding levels proposed by both the
23 executive branch and the legislative finance committee for
24 medicaid for fiscal year 2011 make a radical restructuring of
25 medicaid unnecessary in the upcoming fiscal year; and

1 WHEREAS, federal health care reform legislation
2 currently under consideration by congress proposes expansions
3 of eligibility in the state medicaid program and projects
4 expansion of health care insurance coverage to currently
5 uninsured New Mexicans; and

6 WHEREAS, any approach to restructuring medicaid in New
7 Mexico should be carefully and thoroughly thought out to
8 consider innovative approaches to reform and meet the
9 requirements and take advantage of opportunities afforded by
10 federal health care and medicaid reform legislation; and

11 WHEREAS, legislative oversight and the involvement of
12 representatives of all the key stakeholders are necessary to
13 develop and evaluate effective recommendations for any
14 substantial changes to medicaid and to determine the impact
15 on consumers, providers and the system of health care
16 delivery in the state;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
18 STATE OF NEW MEXICO that the importance of the medicaid
19 program be recognized, that drastic reductions in medicaid
20 eligibility and benefits be opposed and that the New Mexico
21 legislative council be requested to create a task force to
22 develop recommendations to improve the medicaid program
23 consistent with available resources and federal health care
24 reform requirements; and

25 BE IT FURTHER RESOLVED that the task force review the

1 medicaid and state coverage insurance programs and make
2 recommendations for improving these programs, including the
3 implications of proposed federal health care reform
4 legislation, current and anticipated changes to medicaid
5 eligibility and benefits, state budget needs, the needs of
6 currently eligible populations, access to and use of medical
7 services, costs to health care consumers, providers and to
8 the state and the impact on the health care delivery system
9 statewide, particularly in rural areas; and

10 BE IT FURTHER RESOLVED that the human services
11 department be requested not to proceed with significant
12 changes to medicaid or submit any waivers, state plan
13 amendments or other proposals to the federal government that
14 would significantly alter the medicaid program, including
15 personal care option services, until the recommendations of
16 the task force are considered and upon further recommendation
17 of the New Mexico legislature; and

18 BE IT FURTHER RESOLVED that the task force be composed
19 of the secretary of human services, the director of the
20 medical assistance division of the human services department,
21 appointees determined by the New Mexico legislative council,
22 experts on health policy, community advocates for medicaid
23 recipients, health care providers or their representatives
24 and other state agency staff as determined by the chair and
25 vice chair of the interim legislative health and human

1 services committee; and

2 BE IT FURTHER RESOLVED that at least one-third of the
3 membership of the task force be composed of community
4 advocates for medicaid recipients, including advocates for
5 the poor, people with disabilities, the elderly and children;
6 and

7 BE IT FURTHER RESOLVED that the human services
8 department be requested to provide the task force with agency
9 staff, data and reports as necessary to evaluate the
10 effectiveness of current programs and the impact of any
11 proposals to alter medicaid eligibility and benefit levels;
12 and

13 BE IT FURTHER RESOLVED that the task force begin meeting
14 on a regular basis as soon as possible and through October
15 2011 and that a time line be set for the work plan of the
16 task force at the first meeting; and

17 BE IT FURTHER RESOLVED that the task force report its
18 preliminary findings and recommendations to the legislative
19 finance committee and the interim legislative health and
20 human services committee in October 2010 and issue a final
21 report of its findings and recommendations in October 2011;
22 and

23 BE IT FURTHER RESOLVED that copies of this memorial be
24 transmitted to the governor, the co-chairs of the New Mexico
25 legislative council, the secretary of human services, the

1 director of the medical assistance division of the human
2 services department, the chair and vice chair of the interim
3 legislative health and human services committee, the chair and
4 vice chair of the legislative finance committee, the chair of
5 the house health and government affairs committee and the
6 chair of the senate public affairs committee. _____

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