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HOUSE BILL 68

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Elizabeth "Liz" Thomson

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO DISABILITY SERVICES; DIRECTING THE DEPARTMENT OF HEALTH TO ENROLL OVER A FIVE-YEAR PERIOD SPECIFIED NUMBERS OF INDIVIDUALS INTO SUPPORT AND SERVICES PROVIDED THROUGH THE MEDICAID DEVELOPMENTAL DISABILITIES WAIVER PROGRAM; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] ADDITIONAL ENROLLMENT INTO THE DEVELOPMENTAL DISABILITIES WAIVER.--

A. Except as provided in Subsection B of this section, for each fiscal year beginning in fiscal year 2020 and ending in fiscal year 2024, the department of health shall:

(1) issue a number of allocation letters to individuals waiting on the central registry for the allocation of support and services under the medicaid developmental

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1 disabilities waiver program sufficient to allocate  
2 approximately six hundred new individuals support and services  
3 through the program during that fiscal year; and

4 (2) issue a number of allocation letters to  
5 individuals on the central registry sufficient to fill promptly  
6 any vacancies that arise in the medicaid developmental  
7 disabilities waiver program during the period beginning in  
8 fiscal year 2020 and ending in fiscal year 2024 due to  
9 attrition with new participants who are allocated program  
10 support and services.

11 B. If the governor declares that a financial  
12 emergency exists and notifies the legislative finance committee  
13 of this declaration, the governor may waive the requirements of  
14 Subsection A of this section and authorize a smaller number of  
15 new allocations to the medicaid developmental disabilities  
16 waiver program for the fiscal year for which the declaration is  
17 made. No such declaration shall be construed to limit the  
18 authority of the legislature to appropriate funding or to  
19 authorize the expenditure of funds to address the medicaid  
20 developmental disabilities waiver program waiting list for the  
21 fiscal year affected by the governor's declaration.

22 C. For purposes of this section, the term "medicaid  
23 developmental disabilities waiver program" includes the  
24 traditional medicaid developmental disabilities support and  
25 services waiver program and the medicaid mi via self-directed

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1 waiver program.

2 SECTION 2. APPROPRIATION.--Twenty-five million dollars  
3 (\$25,000,000) is appropriated from the general fund to the  
4 department of health for expenditure in fiscal years 2020 and  
5 2021 to provide for the allocation or enrollment for support  
6 and services through the medicaid developmental disabilities  
7 waiver program of additional eligible individuals awaiting  
8 allocation on the department of health's central registry, as  
9 provided in Section 1 of this act. Any unexpended or  
10 unencumbered balance remaining at the end of fiscal year 2021  
11 shall revert to the general fund. It is the intention of the  
12 legislature that this appropriation increase the base budget of  
13 the department of health for this program by the amount of this  
14 appropriation.