

A MEMORIAL

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

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

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

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

WHEREAS, this concept paper proposes drastic changes

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

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

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

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

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

WHEREAS, federal health care reform legislation

currently under consideration by congress proposes expansions of eligibility in the state medicaid program and projects expansion of health care insurance coverage to currently uninsured New Mexicans; and

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

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

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

BE IT FURTHER RESOLVED that the task force review the medicaid and state coverage insurance programs and make

recommendations for improving these programs, including the implications of proposed federal health care reform legislation, current and anticipated changes to medicaid eligibility and benefits, state budget needs, the needs of currently eligible populations, access to and use of medical services, costs to health care consumers, providers and to the state and the impact on the health care delivery system statewide, particularly in rural areas; and

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

BE IT FURTHER RESOLVED that the task force be composed of the secretary of human services, the director of the medical assistance division of the human services department, legislative members, including the chair and vice chair of the interim legislative health and human services committee, the chair of the house health and government affairs committee and the chair of the senate public affairs committee, experts on health policy, community advocates for medicaid recipients, health care providers or their representatives and other state

agency staff as determined by the chair and vice chair of the interim legislative health and human services committee; and

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

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

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

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

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the governor, the co-chairs of the New Mexico legislative council, the secretary of human services, the director of the medical assistance division of the human

services department, the chair and vice chair of the interim legislative health and human services committee, the chair and vice chair of the legislative finance committee, the chair of the house health and government affairs committee and the chair of the senate public affairs committee.