

**NEW MEXICO MEDICAL SOCIETY  
LEGISLATIVE UPDATE #2  
2-1-08**

7770 Jefferson NE, Suite 400, Albuquerque, NM 87109 • (505)828-0237 • (800)748-1596

The last day to introduce bills was Jan. 30, we are following over 70. Please call if you have any questions or need more information about the bills discussed below or in the list. Please remember that you are able to read and track bills of interest by going to the legislative site at [www.legis.state.nm.us/lcs](http://www.legis.state.nm.us/lcs). Click on Bill Finder. It will be obvious what to do from there. This tool allows you to find out when hearings on a particular bill are scheduled, the names of the people on the committee hearing the bill, what changes were made to the bill, its current status and so forth. That information is not listed here because much of it is a moving target. Again, please call with questions. We're here to help!

***The reform bills (too early for predictions):***

**The governor's bill - Health Solutions, HB 62...** was finally passed out of its first committee Jan. 30 with significant changes.

**Dropped from the bill:** provisions that all state residents be required to have insurance from either a private or public source; and a tax on employers who don't provide insurance for their employees (the tax is designed to help fund public health insurance programs). The governor says he'll veto the bill unless these provisions are restored at the bill's next stop, House Appropriations – scheduled for today.

**Added to the bill:** a physician as a voting member of the health authority board.

**Picraux/Feldman - Health Care Authority, HB 147/SB225**

Both bills were heard and given do-passes out of their first committees. The Picraux bill, HB147 is scheduled for today, also in House Appropriations. SB225 is not yet scheduled. NMMS was successful in adding a physician to health care authority board in both pieces of legislation.

**Gonzales/Cisneros - Health Security Act, HB 214/SB3 (single payer)**

Passed out of House Health and Gov. Affairs Jan. 31 without recommendation; do-pass out of Senate Public Affairs. Not scheduled on the Senate side; House version is in Judiciary, which meets tomorrow, February 2. As of this writing the bill is not on the schedule.

Other health care reform legislation, Tim Jennings' bill SB430 has yet to have a hearing. The Michael Sanchez bill, SB377 cleared its first committee as did Senator Steve Komadina's, SB228.

***NMMS bills:***

SB 342, gross receipts tax deduction for physician receipts from patient co-payments or deductibles was given a do-pass in its first committee, now in Senate Finance, waiting. SB 478, annual physician Medicaid increases, has not had a hearing.

***Other:***

- HB 275, (last year's bill) - limited prescriptive authority for some advanced chiropractors, passed the House 61-0 and is on the Senate side. The chiropractic association incorporated NMMS amendments that allow the NM Medical Board to approve curriculum and participate in the development of a formulary.
- SB 127, a recruitment/retention bill, appropriating money to waive licensure fees for new physicians, passed the Senate and has been sent to the House for consideration.
- HB 37, the bill that requires a plan by Nov. 1, 2008, for implementing electronic billing, and a plan by Nov 1, 2009 for electronic records, passed one committee, is sitting in House Judiciary.

***Passed committees, scheduled for floor votes:***

- HM 9, extending a study regarding malpractice premiums for obstetric care
- HM 2, to convene a task force to plan for new residency programs

- HJM 12, to study feasibility for dental school

Below is a list of bills that NMMS is tracking.

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## DEPARTMENT OF HEALTH

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**Bill: HB32**

**Sponsors:** Picraux (D25)

**Title:** 24-HOUR NURSE HEALTH ADVICE LINE

**Summary:** Provides \$500,000 (GF) to the Department of Health for a 24-hour nurse health access telephone advice line for all New Mexicans regardless of insurance status.

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**Bill: HB389**

**Sponsors:** Sandoval (D17)

**Title:** REDUCTION OF HOSPITAL LABORATORY TESTING

**Summary:** Appropriates \$500,000 (GF) to the Department of Health to fund a pilot project to reduce utilization of laboratory testing in New Mexico hospital settings. The department may contract with a clinical laboratory and shall seek federal matching funds.

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**Bill: HB536**

**Sponsors:** Foley (R57)

**Title:** INDIGENT CANCER PATIENT SERVICES

**Summary:** Appropriates \$60,000 (GF) to the Department of Health to provide services including home health, medications, transportation to indigent cancer patients in Chaves, Eddy, Lea and Lincoln counties.

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**Bill: HB539**

**Sponsors:** Foley (R57)

**Title:** NURSE HOTLINE

**Summary:** Appropriates \$20,000 (GF) to the Department of Health to support a statewide 24 hour nurse advice hotline.

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**Bill: SB129**

**Sponsors:** Feldman (D13)

**Title:** HEALTHY NEW MEXICO TASK FORCE

**Summary:** Requires the Secretary of Health to convene a Healthy New Mexico Task Force to devise a comprehensive five-year strategic plan for preventing disease and managing chronic conditions.

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**Bill: SB244**

**Sponsors:** Komadina (R9)

**Title:** HUMAN PAPILOMAVIRUS VACCINE EDUCATION

**Summary:** Requires information about cervical cancer and human papillomavirus vaccine to be given to the parent or guardian of a female student between the ages of 9 and 14 prior to her admission to a private or public school. After the information has been given, a female student may not be admitted to sixth grade unless she presents written evidence that she has been vaccinated or that her parents or guardian chose for her not to receive the vaccine.

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**Bill: SB408**

**Sponsors:** Smith (D35)

**Title:** LAB TESTING IN HOSPITALS

**Summary:** Provides \$100,000 (GF) to the Department of Health to fund a pilot project intended to reduce the use of laboratory testing within hospital settings in New Mexico. DOH shall seek federal matching funds for the project.

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## ELECTRONIC/TELEHEALTH

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**Bill: HB37/HB522/SB305**

**Sponsors:** Wirth (D47)/Anderson (R29)/Carraro (R23)

**Title:** ELECTRONIC MEDICAL RECORDS ACT

**Summary:** Requires the New Mexico Telehealth and Health Information Technology Commission to develop plans for implementing electronic insurance and medical record systems, provides for legal effectiveness of electronic medical records and establishes rules for disclosure of electronic medical records.

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**Bill: HB455**

**Sponsors:** Rodella (D41)

**Title:** HOSPITAL INFORMATION SYSTEM

**Summary:** Establishes a system for Internet reports on statewide hospital data, for purposes of hospital transparency.

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**Bill: SB85**

**Sponsors:** Leavell (R41)

**Title:** UNM TELEPSYCHIATRY

**Summary:** Appropriates \$157,000 (GF) to the University of New Mexico to fund telepsychiatry services in Carlsbad. No more than 10 percent may be used for administrative costs.

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## HEALTH CARE REFORM

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**Bill: HB62**

**Sponsors:** Lujan, B. (D46)

**Title:** HEALTH SOLUTIONS NEW MEXICO ACT (The Governor's Bill)

**Summary:** The Health Solutions New Mexico Act's stated purpose is to achieve universal health coverage, contain health care costs and improve health care access and quality for New Mexicans. The act directs that health care and health coverage initiatives recognize the state's diversity, be transparent and accountable, be financially viable, consider health care quality and outcomes, improve access to health care, consider the needs of low-income and high-risk individuals and families, and provide a choice of providers and treatment options. It creates a health care authority empowered to make decisions and/or study options for health care.

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**Bill: HB147/SB225**

**Sponsors:** Picraux (D25)/Feldman (D13)

**Title:** HEALTH CARE AUTHORITY ACT

**Summary:** The Health Care Authority Act creates a Health Care Authority as a new state agency and appropriates \$600,000 (GF) for expenditure in FY 2009 and FY 2010 to establish and implement the new agency. Requires the newly created authority to develop a comprehensive plan for accessible and affordable health care services for all New Mexicans by January 1, 2009. Provides generally inclusive definitions within the act for systems which finance health care services, but excludes workers' compensation insurance and automobile medical payment insurance. Repeals a provision that had established the New Mexico Health Policy Commission and transfers all existing commission personnel, property and contracts to the Health Care Authority on September 1, 2008. The authority is terminated pursuant to the Sunset Act effective July 1, 2014, unless the Legislature acts to extend its life prior to that date.

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**Bill: HB205/SB228**

**Sponsors:** Foley (R57)/Komadina (R9)

**Title:** HEALTH INSURANCE EXCHANGE ACT

**Summary:** Creates the "Health Insurance Exchange" as a nonprofit public corporation, separate and apart from the state, to provide residents with greater access to and choice of health insurance products. Provides for the exchange to be governed by a 13-member board of directors with six directors appointed by the governor to represent participating employers and their employees, six elected by groups representing participating carriers, physicians, hospitals, health underwriters and Indian nations, and the Superintendent of Insurance as a nonvoting member. Authorizes the board to appoint a full-time director to manage business and supervise staff.

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**HB214/SB3**

**Sponsors:** Gonzales (D42)/Cisneros (D6)

**Title:** HEALTH SECURITY ACT (single payor bill)

**Summary:** A 56-page bill intended to ensure that health care coverage is available to all New Mexicans through a combination of public and private financing. Participation is not optional for holders of private insurance. The act creates a Health Care Commission which is charged with developing and adopting a five-year Health Security Plan designed to provide comprehensive, necessary and appropriate health care benefits, including preventive health care and primary, secondary and tertiary health care for acute and chronic conditions. An individual is eligible for coverage if physically present in the state for one year prior to the date of application for enrollment. A beneficiary may purchase supplemental benefits.

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**Bill: SB377**

**Sponsors:** Sanchez, M. (D29)

**Title:** ACCESS TO QUALITY UNIVERSAL HEALTH INSURANCE ACT

**Summary:** GUARANTEED COVERAGE. The Access to Quality Universal Health Insurance Act requires that effective January 1, 2010, all health insurers licensed in New Mexico must issue health insurance coverage to any person who wishes to purchase the insurance. Does not mandate the sale of disability income, long-term care, Medicare supplement, accident, disease-specific and similar policies. Directs the Insurance Division to consult with appropriate state agencies and make recommendations by September 1, 2008 to the Legislative Health and Human Services Committee regarding the implementation of risk equalization processes to spread risk among insurers and minimize adverse selection resulting from guaranteed issue of coverage products.

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**Bill:** SB430

**Sponsors:** Jennings (D32)

**Title:** CREATING THE LEGISLATIVE HEALTH COMMITTEE

**Summary:** (Relates to SB225, SB3, SB377, HB147 and HB62, which deal with proposed health care and insurance plans, and may indicate the Senate's expectation that none of the plans will pass, or at the very least offers a contingency plan for that possibility.) Abolishes the Legislative Health and Human Services Committee and the Welfare Reform Oversight Committee replacing them with two separate legislative bodies: (1) a 14-member Legislative Health Committee to conduct a continuing study of all health care in New Mexico and conduct a continuing review and study of the laws governing health programs; and (2) a 12-member Legislative Human Services Oversight Committee to examine laws related to welfare reform and conduct a continuous study of programs, agencies, policies, issues and needs related to human services programs generally.

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## INSURANCE

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**Bill:** HB274

**Sponsors:** Gardner (R66)

**Title:** PRC TO STUDY HEALTH INSURANCE LAWS

**Summary:** Directs the Public Regulation Commission to examine all legislative health benefit mandates, rating requirements and statutes or rules health insurance by August 1, 2008 and by August 1 for the five ensuing years, also requires the PRC to assess the impact of these laws on the cost and availability of insurance health care costs, the availability of providers and the policy goals stated in any particular law.

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**Bill:** SB37

**Sponsors:** Beffort (R19)

**Title:** REQUIRING RESIDENT STUDENT HEALTH INSURANCE

**Summary:** Requires all resident students entering a public post-secondary institution to provide proof of health insurance or purchase insurance provided by the institution. Does not apply to a student who is provided health insurance under a scholarship or other program. Effective July 1, 2008.

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**Bill:** SB38

**Sponsors:** Beffort (R19)

**Title:** REQUIRING NONRESIDENT STUDENT HEALTH INSURANCE

**Summary:** Provides that a public post-secondary educational institution shall not admit a nonresident student who does not have proof of health insurance as good as, or better than, the insurance provided by the institution.

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**Bill:** SB39

**Sponsors:** Beffort (R19)

**Title:** HEALTH INSURANCE INCOME TAX CREDIT

**Summary:** Proposes a refundable tax credit equaling 50 percent of a low-income resident's health coverage premium or \$2,500, whichever is greater. Residents who have employer-sponsored health insurance and live in a household below the federal poverty level qualify, as do residents without employer-sponsored health coverage but who live in households below 200 percent of the federal poverty level.

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**Bill:** SB40

**Sponsors:** Beffort (R19)

**Title:** COLLEGE HEALTH INSURANCE

**Summary:** Provides that all scholarships awarded under the College Affordability Act must be sufficient to cover the recipient under the health insurance policy offered to students at the institution.

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**Bill: SB226**

**Sponsors:** Feldman (D13)

**Title:** HEALTH INSURANCE POLICY PROVISIONS

**Summary:** Eliminates initial two-year period when major medical policies may be voided or claims denied for misstatements in application except for willful or fraudulent statements made by the applicant.

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**Bill: SB267**

**Sponsors:** Komadina (R9)

**Title:** HEALTH INSURANCE CONTRIBUTIONS FOR SCHOOL EMPLOYEES

**Summary:** Requires group health insurance contributions for school districts, charter schools and participating entities in the Public School Insurance Authority to be at least 80 percent of the cost of the insurance of an employee. Adds a section to the Public School Code to clarify that the 80 percent contribution requirement specifically applies to school districts with more than 60,000 students. Deletes language that had authorized employer contributions on a sliding scale related to the employee's annual salary.

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**Bill: SB407**

**Sponsors:** Carraro (R23)

**Title:** HEALTH SAVINGS ACCOUNTS AND HIGH-DEDUCTIBLE POLICIES

**Summary:** Beginning July 1, 2009, authorizes health insurers to offer consumers who are seeking a comprehensive major medical policy the option of a policy with a deductible of at least \$2,500 in conjunction with a health savings account. Requires a person who wishes to obtain a high-deductible health plan to present evidence to the insurer that the person has established a health savings account in compliance with the Internal Revenue Code.

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**Bill: SB474**

**Sponsors:** Ortiz y Pino (D12)

**Title:** HEALTH INSURERS' DISCLOSURES TO CONSUMERS

**Summary:** Directs the Insurance Division to make rules which require all health insurers to make the following disclosures to purchasers who request quotes for comprehensive major medical insurance: the commission or other compensation the broker or agent will receive; a history of rate changes for that type of policy over the preceding five years; and the medical loss ratio for each of the preceding five years for a policy with a substantially similar experience rating (as defined by the Superintendent of Insurance) as the one being offered.

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## MALPRACTICE

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**Bill: HB134/SB291**

**Sponsors:** Campos, J. (D63)/Campos, P. (D8)

**Title:** MALPRACTICE INSURANCE ASSISTANCE FOR BIRTHING

**Summary:** Establishes Birthing Workforce Retention Fund to provide assistance of \$10,000 or more to certified nurse-midwives and obstetric physicians having at least one-half of their practice serving indigent or Medicaid patients.

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**Bill: HB167**

**Sponsors:** King (D50)

**Title:** BIRTHING WORKFORCE RETENTION FUND

**Summary:** Related to HB134/SB291. , Creates the Birthing Workforce Retention Fund for certified nurse-midwives and physicians providing birthing services to low-income New Mexicans to assist with their medical malpractice premiums.

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**Bill: HB177**

**Sponsors:** Trujillo (D45)

**Title:** MEDICAL MALPRACTICE SETTLEMENTS, RECORDS AND LICENSEE RESTRICTIONS

**Summary:** MEDICAL MALPRACTICE SETTLEMENT DISCLOSURES. Provides for disclosure to the state Medical Board by hospitals, health care entities and professional review bodies of all medical malpractice settlement payments that involve a licensee. Applies to payments made under a policy of insurance, self-insurance or otherwise in settlement of a medical malpractice action or claim.

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**Bill: HB348**

**Sponsors:** Cervantes (D52)

**Title:** UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT

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**Summary:** Cited as the Uniform Emergency Volunteer Health Practitioners Act, the bill provides immunity from damages for an act of omission by registered volunteer health practitioners when providing health or veterinary services pursuant to the act. Does not shield the volunteer from liability for willful misconduct, gross negligence, recklessness, criminal conduct, an intentional tort, breach of contract, or acts or omissions relating to the operation of a vehicle. The purpose of the act is to provide liability protections when volunteers are serving during a declared emergency.

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**Bill: HM9**

**Sponsors:** Picraux (D25)

**Title:** OBSTETRIC LIABILITY COSTS

**Summary:** Related to SM1, SM11. Recognizes that obstetric health care insurance premiums continue to rise, threatening access to childbirth services in rural areas of the state where many births are attended by certified nurse-midwives. Requests the New Mexico Health Policy Commission to continue to seek solutions to the crisis in obstetric health care, and directs the commission's task force on health care practitioner liability insurance to report to the governor and appropriate legislative committees by October 2008.

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**Bill: SM1**

**Sponsors:** Komadina (R9)

**Title:** TASK FORCE ON OBSTETRIC LIABILITY INSURANCE

**Summary:** Related to SM11, HM9. Requests the New Mexico Health Policy Commission to continue its task force on health care practitioner liability insurance and the crisis in obstetric health care, and to submit recommendations by October 2008.

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**Bill: SM11**

**Sponsors:** Feldman (D13)

**Title:** TASK FORCE ON MEDICAL LIABILITY INSURANCE

**Summary:** Related to SM1, HM9. Requests the Department of Health to convene a task force on how to provide financial support to health care providers facing high general liability insurance premiums, including targeting specialty groups or geographic locations.

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## MEDICAID

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**Bill: HB268**

**Sponsors:** Gardner (R66)

**Title:** COVERAGE COST-SHARING BY MEDICAL ASSISTANCE BENEFICIARIES

**Summary:** Requires the Human Services Department to adopt rules that some medical assistance beneficiaries make copayment for emergency room visits and some prescription drugs, as well as paying premiums. Requires the Department to request a waiver from the federal Department of Health and Human Services.

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**Bill: HM4/SM10**

**Sponsors:** Picraux (D25)/Ortiz y Pino (D12)

**Title:** MEDICAID RENEWAL PILOT PROJECT

**Summary:** Requests the Human Services Department to analyze the efficacy of the Medicaid Renew Pilot Project, which is intended to simplify the Medicaid renewal process for recipients, in order to determine whether it should be made permanent.

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**Bill: SB478**

**Sponsors:** Jennings (D32)

**Title:** MEDICAID REIMBURSEMENT INCREASES

**Summary:** Beginning July 1, 2009, requires the Human Services Department to establish annual reimbursement rate increases for physicians, dentists, optometrists, podiatrists and psychologists for services to Medicaid fee-for-service or managed care patients. **NMMS BILL**

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## MISCELLANEOUS

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**Bill: HB9**

**Sponsors:** Stewart (D21)

**Title:** DOMESTIC PARTNERSHIPS

**Summary:** Creates domestic partnership, meaning a legal relationship between two adults by submitting a statutory affidavit of

domestic partnership to a county clerk, who then issues a certificate of domestic partnership. A domestic partner has the same obligations, responsibilities, protections and benefits as are afforded to spouses, and it is unlawful to discriminate against a domestic partner as not being a spouse, widow or widower.

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**Bill: HB244**

**Sponsors:** Chasey (D18)

**Title:** FREEDOM OF CHOICE ACT

**Summary:** Proposes the Freedom of Choice Act to protect a person's right to use or refuse contraceptives or other reproductive services, including abortions. Likewise protects a physicians' and other health care workers' rights to perform all reproductive services, including abortions, unimpeded by state action, inaction, influence or regulation. Would repeal existing but currently unenforceable New Mexico law that limits abortion to certain "justified medical terminations."

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**Bill: HB256**

**Sponsors:** Garcia, Miguel (D14)

**Title:** ALBUQUERQUE UNDERAGE AND BINGE DRINKING

**Summary:** Provides \$8,000 (GF) to the Office on African American Affairs to contract with a community organization serving Hispanic, African American and low-income youth in southwestern and southeastern Albuquerque to help eliminate underage and binge drinking.

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**Bill: SB23**

**Sponsors:** Ryan (R10)

**Title:** HUMAN STEM CELL RESEARCH AND CLONING

**Summary:** Creates the Biomedical Research Act, which would permit research and clinical applications involving certain human embryonic stem cells, but prohibit human reproductive cloning.

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**Bill: SB93**

**Sponsors:** Papen (D38)

**Title:** UNM RURAL HEALTH CARE OUTREACH

**Summary:** Appropriates \$1.8 million (GF) to UNM's board of regents to support, in partnership with NMSU's Cooperative Extension, a rural health care outreach program.

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**Bill: SB385**

**Sponsors:** Martinez, Richard (D5)

**Title:** HEALTH CARE PROVIDER REIMBURSEMENT FOR COUNTY INMATE CARE

**Summary:** Provides that, unless agreed otherwise with the provider, counties must reimburse health care providers that treat county jail inmates at certain rates.

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## RECRUITMENT & RETENTION

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**Bill: HB537**

**Sponsors:** Foley (R57)

**Title:** HEALTH CARE CAREER RECRUITMENT AND RETENTION

**Summary:** Provides \$100,000 (GF) to the Department of Health to recruit and retain health care professionals and train youth for health careers.

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**Bill: HM2**

**Sponsors:** Picraux (D25)

**Title:** PRIMARY CARE PHYSICIANS NEEDED

**Summary:** The memorial recognizes the state's need for more primary care doctors and dentists and requests the New Mexico Health Policy Commission to convene a task force of experts by June 1, 2008 to plan for new or expanded state-funded, nationally accredited residency program which include rotations in underserved communities, and report its findings and recommendations by September 1, 2008.

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**Bill: SB7**

**Sponsors:** Komadina (R9)  
**Title:** NMHU MEDICAL SCHOOL RECRUITMENT OUTREACH  
**Summary:** Provides \$250,000 (GF) to NMHU's Board of Regents for a program to help prepare rural and underserved undergraduate students from smaller universities to enter medical school. Preparation will include mentoring by rural physicians and physicians associated with the New Mexico Hispanic Medical Association.

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**Bill: SB14**  
**Sponsors:** Feldman (D13)  
**Title:** HEALTH PROFESSIONAL RECRUITMENT, RETENTION AND EDUCATION  
**Summary:** Provides \$1,756,500 (GF) to fund expanded health professional recruitment, retention and educational opportunities.  
**Status:** 01/16/2008 – Senate Public Affairs Committee

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**Bill: SB127**  
**Sponsors:** Komadina (R9)  
**Title:** MEDICAL DOCTORS' LICENSURE FEE WAIVER  
**Summary:** Appropriates nonreverting \$80,000 (GF) to the Medical Board for a licensure fee waiver program to recruit and retain medical doctors for practice in the state.

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## REGULATION

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**Bill: HB89**  
**Sponsors:** Cote (D53)  
**Title:** PHYSICIAN ASSISTANTS  
**Summary:** Updates various laws to include physician assistants within the definitions and provisions for health care providers.

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**Bill: HB180**  
**Sponsors:** Moore (R67)  
**Title:** MANNY HERRERA HEALTHY FOODS ACT  
**Summary:** Creates a nine-member Healthy Food Initiatives Board, administratively attached to the Economic Development Department, and appropriates nonreverting \$10 million (GF) for its operation. The board is to provide financial assistance to qualified applicants proposing projects to improve access to healthy foods.

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**Bill: HB275**  
**Sponsors:** Lujan, B. (D46)  
**Title:** ADVANCED CHIROPRACTORS PRESCRIBING DRUGS  
**Summary:** (Similar to 2007 HB424) Allows certain advanced chiropractors to prescribe and administer drugs subject to the Controlled Substances Act. Applicants for certification will be required to demonstrate that they (1) hold a chiropractic license in good standing, (2) have completed three year's postgraduate clinical practice, (3) hold advanced chiropractic certification from a nationally recognized credentialing agency, (4) have completed 90 hours of certified coursework in pharmacology and related subjects, and (5) after December 2009, have completed a graduate degree with a chiropractic clinical practice specialty.

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**Bill: HB381**  
**Sponsors:** Barreras (D7)  
**Title:** DONATION OF CANCER DRUGS AND DEVICES  
**Summary:** Proposes an addition to the New Mexico Drug, Device and Cosmetic Act which permits cancer patients or their families to donate unused cancer drugs and medical devices to uninsured or underinsured cancer patients.

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**Bill: SB269**  
**Sponsors:** Komadina (R9)  
**Title:** POLYSOMNOGRAPHY PRACTICE ACT  
**Summary:** Proposes regulation and licensing of the practice of polysomnography, a sleep study in which numerous physiological monitors are attached to the patient to record nighttime breathing, brain activity, and physical activity. Creates a seven-member practice board, administratively attached to the Regulation and Licensing Department, to establish licensing requirements and other matters necessary to ensure adequate training and competency of polysomnographic technologists.

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**Bill: SB272**

**Sponsors:** Martinez, Richard (D5)

**Title:** JAIL HEALTH-CARE RATES

**Summary:** Sets the rates health care providers may charge a county for providing care to an inmate in county jail.

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**Bill: SB415**

**Sponsors:** Lopez (D11)

**Title:** GENETIC COUNSELOR LICENSING ACT

**Summary:** Requires persons engaged in the practice of genetic counseling to be licensed by the New Mexico Medical Board. Prohibits use of the "genetic counselor" title or a title such as "gene counselor" or "genetic consultant" without licensure. Defines "genetic counseling" to include communications that analyze health history and estimate the likelihood of the occurrence of a genetically inherited condition, and assist an individual, family or practitioner with appreciating the psychological and other implications of a genetic disorder. Does not apply to physicians.

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**Bill: SB485**

**Sponsors:** Taylor, J.G. (D14)

**Title:** ANESTHESIOLOGIST ASSISTANT ACT

**Summary:** Amends the Anesthesiologist Assistant Act to revise licensing requirements under the act. The assistant need not be employed by or about to be employed by, a New Mexico university. The assistant must be qualified to develop and implement anesthesia care plans for patients under an anesthesiologist's supervision and direction.

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## STUDIES

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**Bill: HJM12**

**Sponsors:** Sandoval (D17)

**Title:** DENTAL SCHOOL FOR NEW MEXICO

**Summary:** Requests the New Mexico Health Policy Commission and the University of New Mexico Health Sciences Center to conduct a joint study to determine the feasibility of establishing a dental school in New Mexico, to be submitted by November 1, 2008.

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**Bill: HM34**

**Sponsors:** Anderson (R29)

**Title:** TASK FORCE ON ANTIDEPRESSANTS AND SUICIDAL BEHAVIORS

**Summary:** Related to SM9. Asks that the Health Policy Commission convene a task force on the possible correlation between antidepressant drugs and suicidal thoughts and behaviors and to recommend policy solutions to address the possible correlation. Also asks that the task force consider whether providers prescribing antidepressants should be required to undergo mandatory training and be allowed to prescribe such drugs only in combination with concurrent psychotherapy and whether the scope of persons allowed to prescribe psychotropic drugs should be narrowed.

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**Bill: SJM15**

**Sponsors:** Komadina (R9)

**Title:** RESIDENTIAL TREATMENT CENTERS FOR PSYCHIATRIC CRISES

**Summary:** Requests the Human Services Department to study a plan for response and short-term treatment of persons suffering psychiatric crises who do not present a danger to themselves or others. A report is due to the Interim Legislative Health and Human Services Committee no later than December 1, 2008.

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**Bill: SM9**

**Sponsors:** Carraro (R23)

**Title:** ANTIDEPRESSANTS AND YOUTH SUICIDE

**Summary:** Related to HM34. Requests the New Mexico Health Policy Commission to convene a task force of experts to investigate whether there is a correlation between antidepressant drugs and suicidal thoughts and behaviors, and recommend policy solutions to address the correlation if it exists.

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## TAX

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**Bill: HB148/SB148**

**Sponsors:** Picraux (D25)/Komadina (R9)

**Title:** INCOME TAX CREDIT: EMPLOYER WELLNESS PROGRAM

**Summary:** Provides a nonrefundable personal or corporate income tax credit to employers. The credit equals 50 percent of the amount expended by the employer in a year for a qualified wellness program for the employer's New Mexico resident employees. The credit amount may not exceed the sum of (a) \$200 times the number of employees (maximum of 200) who are residents of New Mexico and (b) \$100 times the number of employees in excess of 200 who are New Mexico residents.

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**Bill: HB273/SB306**

**Sponsors:** Steinborn (D37)/Smith (D35)

**Title:** BORDER HEALTH CARE TAX CREDIT

**Summary:** Grants a credit for the state portion of gross receipts tax liability of licensed physicians, licensed physician assistants or registered nurses in advanced practice. The tax credit applies only to receipts not otherwise deductible from medical and health services provided within the scope of practice in a border region. A "border region" is land in New Mexico within 55 miles of the international boundary between Mexico and New Mexico. This provision sunsets July 1, 2015.

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**Bill: HB391**

**Sponsors:** Lujan, B. (D46)

**Title:** GRT DEDUCTION FOR MEDICAID DENTAL SERVICES

**Summary:** Creates a new deduction from gross receipts for receipts not otherwise deductible of licensed dentists or dental hygienists for providing dental services to Medicaid patients.

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**Bill: SB115**

**Sponsors:** Snyder (R15)

**Title:** INCOME TAX CREDIT: EMPLOYEE HEALTH CARE PREMIUMS

**Summary:** Grants a nonrefundable credit against personal or corporate income tax to employers of 50 or fewer employees who provide health insurance for their employees. The credit equals 50 percent of the employee health insurance premiums, including long-term care and disability income premiums, for the first five taxable years. After that, the credit rate drops to 35 percent. Applies to the 2008 and succeeding tax years.

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**Bill: SB158**

**Sponsors:** Komadina (R9)

**Title:** GROSS RECEIPTS TAX: HEALTH CARE SERVICES

**Summary:** Allows 16 categories of licensed health care practitioners to deduct any gross receipts from health care services which are not already exempt or deductible.

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**Bill: SB342**

**Sponsors:** Jennings (D32)

**Title:** TAX BREAK FOR HEALTH CARE CO-PAYMENTS AND DEDUCTIBLES

**Summary:** Creates a gross receipts tax deduction for a health care practitioner's receipts from co-payments or deductibles paid by an insured or enrollee in a health plan. Presently, Section 7-9-93 grants a deduction to health care practitioners only for receipts from the health care insurer or managed care provider. **NMMS BILL**

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**Bill: SB347**

**Sponsors:** Jennings (D32)

**Title:** GROSS RECEIPTS TAX CREDIT: CLINICAL LABS

**Summary:** Establishes a new, phased-in credit for clinical laboratories against their gross receipts tax liability. The credit equals the value of unpaid qualified clinical laboratory services, provided the value does not exceed 130 percent of Medicaid rates for those services. Services are qualified if ordered by one of nine enumerated types of health care practitioner. Services are unpaid if not paid within one year of the date of billing and the laboratory has reason to believe that the person receiving the services had no applicable health insurance, was not eligible for Medicaid and the charges were not reimbursable under the Indigent Hospital and County Health Care Act.

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