

**NEW MEXICO MEDICAL SOCIETY
LEGISLATIVE UPDATE: #3 - FINAL
2-19-08**

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First the bad news. No health care reform. Now the good news. No health care reform.

The topic of reform to New Mexico's system of health care, with the goal of universal care, has been the target of many months of work involving many, many people. NMMS studied the issue and drafted legislation based on the creation of an independent agency that would first plan, then be empowered to implement change. Simultaneously we worked with the governor in his efforts toward this goal; eventually the NMMS Council voted to not proceed with our legislation as NMMS had succeeded in amending the governor's plan (HB 62).

It was evident going into the 30-day session that 1) 30 days was probably not enough time to accomplish meaningful health care reform, and 2) there was a sharp division between the governor and the legislature regarding the effort. The division centered on financing reform and control – who would eventually be in charge? The governor or the legislature? This division, unfortunately, produced several bills, none of which passed; amendment upon amendment resulting in a pieced together effort rather than one good bill which all stock holders could buy into. The governor says he will call a special session, however no date has been announced. Given the cost in state dollars of convening another session, and to participants both in dollars and time, let's hope for some ground work and agreement in advance.

The state budget was passed with somewhere between a \$10 and \$20 million shortfall for Medicaid, thus our bill asking for a provider Medicaid increase was D.O.A. (We have heard nothing thus far about provider cuts). The bill which would have created planning and implementation deadlines for health care electronic billing and records, HB 37, was caught in the cross fire of the governor's bill and it did not pass. Our other disappointment was failure of SB 342 which would have created a tax deduction for receipts from patient co-pays and deductibles.

1521 bills were introduced this session, only 10% passed both houses; 6 have been signed into law thus far, the governor has until March 5, 2008 to act.

Below is a list of bills that NMMS followed.

DEPARTMENT OF HEALTH

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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.
Died in committee.

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. **Waiting for governor's signature.**

Bill: SB244

Sponsors: Komadina (R9)

Title: HUMAN PAPILLOMAVIRUS 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.
Died in committee.

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.
Died in committee.

ELECTRONIC/TELEHEALTH

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. **Failed in the Senate.**

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.
Died in committee.

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. **Died in committee.**

HEALTH CARE REFORM

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. **Died in committee.**

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. **Failed in Senate.**

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

INSURANCE

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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. **Waiting for governor's signature.**

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. **Died in committee.**

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. **Died in committee.**

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. **Failed in the Senate.**

MALPRACTICE

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. **Died in committee.**

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. **Waiting for governor's signature.**

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. **Waiting for governor's signature.**

Bill: HB348

Sponsors: Cervantes (D52)

Title: UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT

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.
Waiting for governor's signature.

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. **Signed into law.**

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. **Waiting for governor's signature.**

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. **Failed in Senate.**

MEDICAID

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. **Died in committee.**

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. **Signed into law.**

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. Died in committee.**

MISCELLANEOUS

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. **Died in committee.**

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."
Died in committee.

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

RECRUITMENT & RETENTION

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. **Died in committee.**

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. **Signed into law.**

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. **Died in committee.**

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. **Died in committee.**

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. **Waiting for governor's signature.**

REGULATION

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. **Waiting for governor's signature.**

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. **Waiting for governor's signature.**

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. **Waiting for governor's signature.**

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. **Died in committee.**

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. **Waiting for governor's signature.**

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.
Died in committee.

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.
Waiting for governor's signature.

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.
Died in committee.

STUDIES

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. **Died in committee.**

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.
Waiting for governor's signature.

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. **Died in committee.**

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. **Waiting for governor's signature.**

TAX

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. **Failed in Senate.**

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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. **Died in committee.**

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 Died in committee.**

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. **Died in committee.**
