

**Legislative Update January 28, 2017**  
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The 2017 legislative session is off to quick start with committees beginning the task of hearing the close to 600 bills and memorials already introduced. Budgetary concerns dominate the round house with budget bills under consideration to pay for shortfalls of state operations through June of this year. Once the current year's budget can be settled, the legislature can focus on the debate to balance the budget for 2017-'18.

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As a result of the January 21<sup>st</sup> legislative training, the NMAFP Legislative Committee recommended a focus of four legislative areas: 1) Full Medicaid Funding, 2) Financial Assistance/Loan Forgiveness for healthcare providers choosing to practice in rural underserved areas of NM, 3) Forming a Scope of Practice Interim Committee, and 4) Funding Workforce Recruitment Programs for Underserved Areas. Other legislative areas may rise in importance as the session progresses.

**Medicaid Funding**

Medicaid spending is already a big topic of discussion. The Governor called for a \$26 million increase, while the Human Services Department is asking for roughly \$42 million in increased spending. The Legislative Finance Committee (LFC) is suggesting no increase in Medicaid spending. According to Representative Liz Thomson (D) from Bernalillo, Chair of the House Appropriations and Finance Sub-Committee, funding for Medicaid will be passed through committee based on the LFC's recommended lower spending. Updated revenue projections will be available the middle of February and the Medicaid budget could be adjusted upward if projections look more promising. Moving appropriations bills through committee at a lower amount allows for progress of the budget with room for adjustments in latter parts of the session.

Doc of the Day volunteers this week focused on informing House Appropriations and Finance Committee members about the importance of Medicaid Funding and how Medicaid expansion has affected their patient panels. Physician stories resonate well with legislators and bring voice to Medicaid patients.

**SB 152 Health Professional Loan Repayment: Sen. Gay Kernan**

This bill would establish a Physician Excellence Fund supported by a fee of \$100 to accompany fees for application for renewal of physician licensure. The Physician Excellence Fund would support financial awards established through the Health Professional Loan Repayment Act to primary care physicians who practice in areas of New Mexico that are designated as underserved. This bill defines a primary care physician as a physician licensed pursuant to the Medical Practice Act or the Osteopathic Medicine Act with specialty training in family medicine, general internal medicine, or general pediatrics.

The bill is assigned to the Senate Public Affairs Committee and Senate Finance Committee and is awaiting a hearing date.

**SB 145 Health Professions Scope of Practice Committee: Sen. Jacob Candelaria**

This bill would create an interim committee of legislators to hear scope of practice change requests and make recommendations to the legislature. The Scope of Practice Committee recommendations would be non-binding and scope of practice changes and establishment of licensing boards would remain under the authority of the entire legislature. There is a provision in the bill that would prohibit a member of the Scope of Practice Committee who is licensed in a health profession for which a proposed statutory change in scope of practice is before the committee shall not participate in the committee's review, findings, or recommendations for report to the legislature.

The bill currently sits in Senate Rules Committee awaiting its committee assignments.

**SB 9 Rural Healthcare Act Program Funding: Sen. Howie Morales**

This bill would provide funding to the Rural Primary Healthcare Act to fund recruitment and training of healthcare professionals to under-served rural communities. The bill adds language to the Rural Primary Health Care Act that would make certain evidence-based healthcare workforce development and recruitment programs in underserved areas of New Mexico eligible for funding. Funding for new eligible programs would be based on new/additional appropriations to the Rural Primary Healthcare Act specifically for their purpose.

The bill is referred to Senate Public Affairs Committee and Senate Finance Committee and is awaiting a hearing date.

**Below are other healthcare related bills.**

**HB 11 Artery Screening Coverage: Rep. Christine Trujillo**

This bill requires health care plans to cover artery calcification screenings as preventive care for cardiovascular disease; not subject to deductible.

**HB 68 Rural Healthcare Practitioner Tax Credit: Rep. Miguel Garcia**

This bill would allow an eligible healthcare practitioner that provides care in an under-served rural community (as defined by DOH) to claim up to a \$5,000 tax credit.

Eligible healthcare practitioner:

- Nurse-midwife
- Dentist or dental hygienist
- Optometrist
- DO
- MD
- PA
- NP
- Podiatrist
- Psychologist
- Therapist/Counselor
- Pharmacist
- Social Worker

**HB 101 Health Security Act: Rep. Bobby Gonzales**

This bill would enact the Health Security Act creating a commission to provide for comprehensive statewide healthcare.

**HB 112 Health Coverage Contract Change Limits: Rep. Bobby Gonzales**

This bill would restrict health plans from making medication tier changes within a contract or policy year.

**HB 126 Financial Assistance for Medical Students: Rep. Doreen Gallegos (Sen Papen SB 108??)**

This bill would give the NM Higher Education Department the authority to pay for certain debt and relocation expenses incurred by a medical student that attended a New Mexico graduate program in return for practicing in a designated underserved area.

**HB 156 Health Coverage for Milk Donations: Rep. Deborah Armstrong**

This bill would require insurers to pay for human breast milk donations for at-risk infants in a hospital setting.

**HB 170 Cancer Patient Prescription Exemptions: Rep. Deborah Armstrong**

This bill would exempt providers from the requirements of the prescription monitoring program when prescribing to cancer patients.

**HB 171 End of Life Options Act: Rep. Deborah Armstrong**

This bill would enact procedures and protections related to medical aid in dying and remove criminal liability for assisting patients with end of life prescribing of self-administered aid-in-dying medication.

**HB 228 Healthcare Right to Try Act: Reps. Rebecca Dow & Kelly Fajardo**

This bill would prevent any official of the state from blocking a qualified patient access to an experimental drug.

**SB 10 Ban Healthcare Practitioner Discrimination: Sen. Ortiz y Pino**

This bill would ban a health plan from discrimination against any healthcare practitioner working within the scope of that practitioner's license or certification.

**SB 16 Opioid Overdose Medication Counseling: Sen. William Soules**

This bill would require healthcare practitioners to counsel patients, upon prescribing of an opioid analgesic medication, on risks of opioid overdose and the availability of the opioid antagonist "naloxone".

**SB 21 Shaken Baby Syndrome Educational Materials: Sen. Michael Padilla**

This bill would require the Department of Health to adopt rules requiring hospitals and birth centers to provide training and education to prevent shaken baby syndrome to every parent of every newborn before discharge.

**SB 68 Posting of Medical Licensing Info: Sen. Sander Rue**

This bill would require licensing boards to make information on a provider's medical license available to the public on a website portal.

**SB 82 Void Certain Healthcare Agreements: Sen. Ortiz y Pino**

This bill would make non-compete provisions in healthcare practitioner agreements unenforceable and against public policy.

**SB 83 Remove Behavioral Health from Managed Care: Sen. Ortiz y Pino**

This bill would amend a section of the Public Assistance Act to remove behavioral health services from those services that the Human Services Department provides to Medicaid recipients through Managed Care.

**SB 150 Advanced Chiropractor Licensure: Sen. Cisco McSorely**

This bill would give prescriptive authority to advanced chiropractic physicians after satisfying educational and training requirements.