

Legislative Update February 8, 2020
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Big news this week is the introduction of **House Memorial 39 (Rep. Nathan Small)**. The NMAFP is part of a coalition to study the primary care spend rate in New Mexico. HM 39 would form an Interdisciplinary Primary Care Task Force to adopt a shared definition of primary care and analyze New Mexico's Medicaid expenditures allocated to primary care. The Task Force will report its findings to the Governor and the Interim Legislative Health and Human Services Committee by November 1, 2020.

SB 1 Wholesale Prescription Drug Importation Act (Sen. Mary Kay Papen)

This bill passed a Senate Floor vote Tuesday February 4th and the House Health & Human Services Committee on February 7th. Both votes were unanimous.

The bill would create the Office of Wholesale Drug Importation at the Department of Health to develop, plan, apply for, and negotiate with the federal government for approval of a Canadian wholesale drug importation plan, ensuring drug safety and significantly reducing drug costs.

The issue of liability for American pharmaceutical companies continues to be stressed by Republican Senators. Also, questions arise as to why pharmaceuticals cost so much more in the United States. An answer to this question was a topic of debate on the Senate Floor. Some say it's the cost of research and development others say it's nothing more than greed. Other countries can buy cheaper medications because the pharma companies know they won't get more. They get more in the US because insurance companies and the public tolerate the higher costs.

SB 5 Extreme Risk Fire Arm Protection Order Act (Sen. Joseph Cervantes)

This bill passed a Senate Floor Vote on Friday February 7th by a close vote of 22-20. Next action is its introduction in the House.

Senate Bill 5 creates the Extreme Risk Firearm Protection Order Act. The Act provides for a new civil process where a household member or a law enforcement officer can petition the appropriate district court for an Extreme Risk Firearm Protective Order against an individual who poses an immediate danger of causing personal injury to self or others by having custody, control or possession of a firearm or ammunition.

Six Senate floor amendments were offered to clear up questions on the bill such as, school administrators authorized to report, clarifying tort claims amounts, and the legal standards to determine probable cause.

HB 83 and SB 3 Early Childhood Education and Care Fund are duplicate bills (Rep. Doreen Gallegos and Sen. John Arthur Smith)

These duplicate bills sit in House Appropriations.

HB 83/SB 3 create The Early Childhood Trust Fund (ECTF) and endows the fund with \$320 million in fiscal year 2021. The bill also creates an Early Childhood Education and Care Program Fund to be administered by the Early Childhood Education and Care Department, from which the legislature may appropriate for early childhood education and care services and programs. In FY22, the bill

distributes \$20 million from the ECTF fund to the Program Fund, and then in FY23 and each year thereafter, the bill distributes the greater of \$30 million or 5 percent of the three-year average of the ECTF fund to the Program Fund.

These bills continue unopposed. Currently House Bill 2 (General Appropriation Act) contains \$300 million for contribution to the Early Childhood Trust Fund. This could change as HB 2 makes its way through the Senate.

HJR 1 Permanent Funds for Early Childhood, CA (Rep. Antonio Maestas)

HJR 1 began the week at #2 on the House Floor Calendar, yet continues to drop holding at #6 on today's calendar. It was not heard on Friday.

This Joint Resolution proposes a constitutional amendment to allow for distribution from the Permanent School Fund of 1% for Early Childhood Education Services. The amendment must be approved by the voters of New Mexico.

Some supporters of the bill say that use of 1% of the permanent fund may have a sunset clause giving the Early Childhood Education Trust Fund (SB 3 & HB 83) a chance to grow. Opposition is not in favor of this and maintain their stance that a greater distribution from the permanent fund will compromise its growth.

Injectable Opioid Treatment Program (HB 73)

Passed House Health and Human Services Committee Friday January 31st and is sent to House Appropriations. Vote 5-1

Appropriates \$150,000 for a demonstration project to assess the feasibility and acceptability of an injectable opioid treatment program at the university of New Mexico addiction and substance abuse program.

The appropriation of \$150,000 is not included in House Bill 2 General Appropriation Act of 2020. HB 2 passed the House and continues its way in the Senate. The Senate may offer an amendment to include funding for this bill if it gains support.

Medical School Scholarship Act (HB 246)

Passed House Education Committee on Monday February 3rd and is sent to House Appropriations. Vote unanimous.

A bill that appropriates \$6 million to establish a Medical School Scholarship fund. Scholarship recipients are required to practice medicine in New Mexico one year for each year they receive the scholarship.

It is unclear at this point if the \$6 million appropriation is in House Bill 2 General Appropriation Act of 2020.