

The Legislature  
of the  
State of New Mexico

48th Legislature, 2nd Session

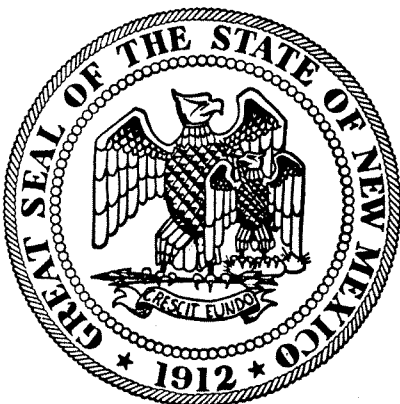
LAWS 2008

CHAPTER \_\_\_\_\_

HOUSE CONSUMER AND PUBLIC AFFAIRS

COMMITTEE SUBSTITUTE FOR HOUSE MEMORIAL 16

Introduced by



1 A MEMORIAL

2 URGING CONTINUED AND MEANINGFUL DISCUSSION AND CONSIDERATION  
3 OF CONCERNS RAISED REGARDING THE DESIGN AND IMPLEMENTATION OF  
4 THE COORDINATED LONG-TERM SERVICES PROGRAM.

5  
6 WHEREAS, the human services department and the aging and  
7 long-term services department have plans to implement a new  
8 program of managed care for individuals receiving long-term  
9 services, known as the coordinated long-term services program,  
10 beginning on July 1, 2008; and

11 WHEREAS, persons receiving services provided in the  
12 disabled and elderly waiver, the personal care option or  
13 nursing facilities would be required to receive all medical  
14 and long-term medicaid services through the coordinated long-  
15 term services program; and

16 WHEREAS, concerns have been expressed by legislators,  
17 consumers, providers, advocates and other stakeholders about  
18 whether the coordinated long-term services program is designed  
19 and will be implemented in such a way as to achieve its stated  
20 goals, including:

21 A. whether the number of home- and community-based  
22 waiver slots requested for coordinated long-term services will  
23 be adequate to increase significantly the number of people  
24 receiving community-based long-term services;

25 B. whether existing eligibility rules will

1 continue to limit access to community services in the program;

2 C. how money follows the person will be  
3 implemented in the program;

4 D. whether the capitated rates paid to the  
5 program's managed care organizations will be adequate to allow  
6 them to provide the services needed by individual enrollees;

7 E. whether the program's rate structure will  
8 provide appropriate incentives to serve individuals in the  
9 community; and

10 F. whether implementation of the program will  
11 succeed in reducing the waiting list and waiting times for  
12 community-based waiver services; and

13 WHEREAS, the state should take significant steps to  
14 ensure that managed care organizations provide prompt and  
15 appropriate services to individuals who need long-term  
16 services; and

17 WHEREAS, there has been limited involvement by the  
18 legislature in development of the program; and

19 WHEREAS, advocates for seniors and persons with  
20 disabilities have expressed serious and legitimate concerns  
21 over whether the program, as designed, will increase access to  
22 long-term services in the community rather than in  
23 institutions;

24 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
25 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the human

1 services department and the aging and long-term services  
2 department address the concerns identified in this memorial  
3 prior to implementation of coordinated long-term services; and

4 BE IT FURTHER RESOLVED that the two departments consult  
5 in a regular and meaningful way with representatives of  
6 providers and consumers on the design of the coordinated long-  
7 term services program; and

8 BE IT FURTHER RESOLVED that the departments report  
9 regularly to the appropriate interim legislative committee  
10 concerned with health and human services and to the  
11 legislative finance committee on progress in addressing the  
12 issues set forth in this memorial; and

13 BE IT FURTHER RESOLVED that the departments also  
14 regularly report on the numbers of clients in home- and  
15 community-based waiver services, persons receiving personal  
16 care option services, the numbers of persons in nursing homes  
17 and describe any other services provided through the  
18 coordinated long-term services program and the number of  
19 people receiving those services; and

20 BE IT FURTHER RESOLVED that copies of this memorial be  
21 transmitted to the chairs of the interim legislative finance  
22 and health and human services committees and to the  
23 secretaries of human services and aging and long-term  
24 services.

S/ BEN LUJAN  
BEN LUJAN, SPEAKER  
HOUSE OF REPRESENTATIVES

S/ STEPHEN R. ARIAS  
STEPHEN R. ARIAS, CHIEF CLERK  
HOUSE OF REPRESENTATIVES