

THE DISABILITY COALITION
Advocating for People with Disabilities of All Types

DISABILITY ISSUES IN THE 2025 LEGISLATURE
STATUS REPORT #8

March 17, 2025

Happy St. Patrick's Day!

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*Past issues of the Legislative Status Report can be found at drnm.org.
Select "Systemic Advocacy" at the top of the home page and click on "Legislative Reports".*

Abbreviations used in this report: See page 11, below.

Committee hearings this week:

Monday, Mar. 17 – HHC: SB 166, Involuntary mental health commitment criteria changes;

HAFC: HB 42, Funding for DD provider rate increases

SRC: SM 6, Joint consent for mental health treatment for minors

SHPAC: SB 106, Interstate psychology compact; SB 558, Medicaid waiver for older adults

In this last week of the session, the agendas for committee meetings may be posted with little if any advance notice and are subject to last-minute changes. Check the "What's Happening" tab on the legislative web site (nmlegis.gov) for House and Senate committee schedules for the latest available information.

The final week! The 2025 legislative session will come to a close at noon on Saturday. Most of the nearly 1200 bills introduced this session have not made it far enough to have a chance of passage and nearly all of those have been "abandoned" by their sponsor. Legislators now focus on those bills that are still "in the running" and those sponsors and bill supporters will be scrambling to get their bills heard in their final committee(s) and brought up for a vote on the floor. With the prospect of floor debates that can go on for hours on a single bill, competition for "floor time" is intense.

Which disability bills are still in the running? Many of the bills we've been following in these reports may still make it to final passage and get sent up to the governor for her action. Those that seem to have such a chance include:

- HB 49 Closed captioning in public accommodations
- HB 111 Searching for service animals in emergencies
- HB 269 Options for EVV reporting systems
- HB 339 Human Rights Act amendments related to housing discrimination
- HB 357 Excluding GRT costs from Mi Via budgets
- HB 260 Clarifying definitions for limitations on the use of seclusion or restraint of students
- HB 149 Supported decision-making
- SB 53 Allowing prescribing psychologists to help train other psychologists to become prescribers
- SB 166 Amendments to the criteria for involuntary mental health commitments



Nearly all the interstate compacts for health care providers are pending in the Senate Judiciary Committee, where in years past these proposals have died. If they make it through the committee this year, most if not all of them have a chance of passing the Legislature, but this is looking increasingly less likely. So far, SJC has approved only one compact bill – SB 105 relating to social workers – while eleven others are awaiting the committee’s attention.

Still no budget. The Senate Finance Committee is putting the final touches on its amendments to HB 2, the state budget bill. The Legislature’s rules call for the House to pass its version of the bill by the 35th day of the session (February 24 this year) and the Senate to pass its revised version by the 50th day (March 15). The House met its deadline, but the Senate’s went by on Saturday without HB 2 even emerging from the Senate Finance Committee, much less being heard and voted on by the full Senate. The Senate version is expected to pass out of the committee early this week and will then be put to a vote on the floor. The Senate’s changes will have to go back to the House, which can either accept them or reject them. If they reject them, a conference committee will be appointed to develop a version that would be acceptable to both chambers. The provisions in the final version will be covered in our post-session report.

Bills and Memorials Introduced in the 2025 Session

This list is grouped by specific disability or subject matter and shows the bill number, sponsor, a description of the bill, committee assignments if they have been made and action taken on the bill or memorial.

State budget

HB 2 General Appropriation Act. Rep. Nathan Small. This is the state budget bill that establishes on-going funding levels for all state agencies, which are now set at a total of \$10.8 billion. Since the state will have far more income than that, HB 2 also authorizes expenditures for numerous projects or services of limited duration through “special” appropriations (about \$1.4 billion) and the Government Results and Opportunity (GRO) fund (\$274 million), and transfers of “surplus” money into new or existing investment funds (\$1.4 billion).

For details on the amounts allocated to state agencies serving persons with disabilities in the House version, see Legislative Report #5.

Behavioral Health

HB 4 Criminal competency and treatment. Rep. Christine Chandler. This bill has been incorporated into the new HB 8, below, which is now considered the first “crime package”. HB 4 will not go any further.

HB 8 Crime package. Rep. Christine Chandler. This omnibus bill incorporates provisions from a number of individual bills, including HB 4. The portion of this new bill that is relevant to the disability community amends existing state law dealing with criminal defendants who are found not competent to stand trial, some of whom may be considered “dangerous”. *In criminal proceedings, defendants who are unable to understand the charges against them and to assist their attorney in defending against the charges are considered not competent to be tried.* The bill broadens the definition of “dangerous”, which would allow a wider range of incompetent defendants to be detained for years at the Behavioral Health Institute (the state hospital) or another locked psychiatric facility. Those who are *not* considered dangerous could be committed to community-based programs (if such programs are created) to restore them to competence so they could be tried for the alleged crime. If criminal charges are dismissed based on incompetency, the courts could advise the district attorney to consider filing a petition for either inpatient or outpatient civil commitment. Notably, the bill does not

create any new path allowing persons with mental illness who have allegedly committed minor crimes related to their illness to be diverted out of the criminal justice system and into treatment. ***Passed the House and Senate and signed into law by the governor.***

HB 58 Wellness rooms & suicide prevention. Rep. Pamela Herndon. Provides approximately \$2 million to PED for wellness rooms and suicide prevention programs in schools. Passed HHHC, heard and tabled in HAFC. *HB 2 currently contains \$1 million for this purpose.*

HB 70 Medicaid waiver for behavioral health or brain injury. Rep. Tara Luján. Directs the Health Care Authority to develop and submit a proposal to CMS to provide home and community based services for persons with a behavioral health condition, including a brain injury, through a Medicaid waiver. Passed HHHC and HAFC, awaiting House vote. *This bill is unlikely to proceed further; however, HB 2 currently contains \$1 million to explore the feasibility and parameters of such a waiver.*

HB 115 Residential treatment services funding. Rep. Joanne Ferrary. Provides \$859,000 for the development and initial operation of Soteria House, a residential behavioral health program and model, in Doña Ana County. Passed HHHC, pending in HAFC. *HB 2 currently earmarks \$1.5 million for innovative residential services for persons with mental illness in Dona Ana County.*

HB 116 Boarding home stipends. Rep. Joanne Ferrary. Provides a monthly payment of \$200 to boarding homes for each individual they house who was previously a resident of a state mental health facility, conditional on the boarding home pursuing a plan to come into compliance with state licensing regulations. Passed HHHC, pending in HAFC.

HB 152 Medication-assisted treatment for minors. Rep. Eleanor Chavez. Prohibits the Children, Youth & Families Department (CYFD) from operating or contracting with a facility that restricts or does not allow medication-assisted treatment for substance use disorder for minors. The bill prohibits Medicaid from reimbursing such facilities, and creates a fund that could pay for this treatment. Passed HHHC, pending in HAFC.

HB 329 Changes to the Behavioral Health Purchasing Collaborative. Rep. Tara Luján. Revises the membership of the Collaborative by removing many state agencies (such as the DD Council, DVR, PED and others) while adding a representative from the behavioral health providers association. It moves the group under the supervision of the governor's office and creates a nominating committee to recommend a list of candidates from whom the governor would have to select for appointment as director of the collaborative. Moved forward by HHHC without recommendation, pending in HJC. *SB 3, which has been signed into law by the governor, eliminates the Collaborative entirely, so this bill is extremely unlikely to move further.*

HB 347 Financial aid for students in behavioral health field. Rep. Kristina Ortez. Appropriates \$10 million for scholarships and paid internships for graduate and undergraduate students pursuing degrees in behavioral health. HHHC/HAFC. *HB 2 currently contains \$3 million for behavioral health scholarships.*

HB 354 Diversion from criminal justice into treatment. Rep. Tara Luján. Establishes at least five pilot projects, lasting six years, to demonstrate that diverting certain offenders from the criminal justice system to community-based services and treatment will reduce crime, homelessness and recidivism and improve public health. The bill creates a fund to support these projects but does not provide an appropriation of money into the fund. Passed HHHC and HJC, awaiting House vote.

HB 375 Scholarships for advanced BH degrees. Rep. Joanne Ferrary. Appropriates \$10 million for scholarships for students pursuing master's or doctorate level degrees in order to become practicing behavioral health professionals. The one-year scholarships would be renewable until the degree is awarded. Students receiving a scholarship would have to contract to provide behavioral health services in New Mexico upon their licensure, for the same number of years as they received a scholarship. Passed HEC, pending in HAFC. *HB 2 currently contains \$3 million for scholarships in behavioral health.*

HB 397 Stipends for behavioral health students. Rep. Joanne Ferrary. Appropriates \$2 million for stipends to undergraduate and graduate students who are completing training, supervision, or experience requirements necessary to obtaining licensure in a behavioral health practice area. HEC/HAFC.

SB 1 Behavioral health trust fund. Sen. George Muñoz. Establishes a trust fund to support behavioral health services. The original version of the bill included an initial investment of \$1 billion, but that has been deleted. The initial amount to be deposited into the fund will be determined by the Senate as it reviews and amends HB 2. Five per cent of the fund's assets at the end of each year would be transferred to a related program fund that the Legislature could use to fund behavioral health services. *Passed the House and Senate and signed into law by the governor.*

SB 2 Funding for BH initiatives. Sen. Benny Shendo. As amended in SFC, provides a total of \$200 million to be spent over the next several years for a wide variety of behavioral health initiatives. Passed the Senate, pending in HAFC. *Most of this funding has been added to HB 2 and SB 2 is not moving forward.*

SB 3 BH reform and investment act. Sen. Peter Wirth. The SFC substitute version of the bill establishes a new regional behavioral health planning process and gives a significant role in that process to the Health Care Authority. The changes to the original bill now put an executive committee (rather than the Administrative Office of the Courts in charge of the planning process; that committee would include representatives of HCA and AOC along with behavioral health experts appointed by AOC. Each region would develop a plan for continuing and expanding behavioral health services with a limited number of key priorities. The committee substitute also clarifies requirements for the plans and adds reporting provisions. In addition, the substitute formally eliminates the state's Interagency Behavioral Health Purchasing Collaborative, which has been without a director and has not met for about two years. *Passed the House and Senate and signed into law by the governor.*

SB 53 Psychology Act amendments. Sen. Bill Soules. Allows experienced prescribing psychologists to supervise some of the training of other psychologists who seek to qualify for prescribing authority themselves. Passed the Senate; passed HHHC, pending in HJC.

SB 54 Criminal justice amendments. Sen. Katy Duhigg. This lengthy bill deals primarily with the intersection of behavioral health and the criminal justice system. Among other provisions, it would require county detention centers to implement medication-assisted treatment; require expanded training of law enforcement officers on dealing with people in a mental health crisis; allow law enforcement officers to take people in crisis to a mental health facility or clinic rather than arrest them, if the individual in crisis consents; and allow for diversion of individuals with behavioral health issues charged with crimes into treatment programs either pre- or post-adjudication. A substitute version passed SJC, pending in SFC.

SB 120 No BH copays. Sen. Martin Hickey. Current state law prohibits the imposition of insurance copays or cost-sharing for behavioral health services, but is set to expire on January 1, 2027. This bill would make the prohibition permanent. Passed Senate; awaiting House committee assignments.

SB 166 Revised criteria for mental health commitments. Sen. Moe Maestas. Revises the criteria for involuntary civil commitment under the Mental Health and Developmental Disabilities Code (for inpatient commitment) and the Assisted Outpatient Treatment Act (for outpatient commitment) by changing the definitions of likelihood of "harm to self and harm to others". The bill was amended significantly in a substitute version adopted in SJC, but it still reflects a focus on forcing people who are homeless into involuntary mental health treatment, by looking only at an individual's failure to provide for personal needs. Notably, the bill – in both its original version and the current SJC substitute – drops any reference to the likelihood of committing suicide or inflicting violence on oneself as part of the definition of harm to self. Passed the Senate; HHHC/HJC. *Scheduled for hearing in HHHC today.*

SB 405 BH review committee. Sen. Linda Lopez. Creates a committee to propose policies for treatment courts and develop proposals to reform the state's behavioral health laws. The committee

and the experts needed to support the committee would be funded by a \$300,000 appropriation. SRC/SFC.

SB 432 BH grant program and fund. Sen. Steve Lanier. Establishes a program to provide grants to local governments for new or expanded behavioral health services, and creates a fund to be used for those grants, with a portion of the revenue from liquor and cannabis excise taxes going to that fund. SHPAC/SFC.

SB 489 Court-ordered treatment for minors. Sen. Linda Lopez. Allows children who have been adjudicated as abused or neglected and who are under the jurisdiction of children's court to be ordered into mental health treatment if this is found to be in the child's best interest and needed to promote the child's health, safety or welfare. *Under current law, children 14 or older can make their own decisions about mental health services.* SHPAC/SJC. Heard but failed to pass in SHPAC.

SB 510 Crime package. Sen. Bill Sharer. This bill is a very extensive collection of provisions that expand the definitions of various crimes and address other issues in adult and juvenile criminal proceedings. The bill includes many of the provisions now in HB 8 concerning determination of competency, competence restoration, evaluation of whether defendants meet involuntary commitment criteria, and others. SJC/SFC.

SM 6 Study joint consent for minors. Sen. Linda Lopez. Addresses the issue that under NM law, minors age 14 through 17 have the right to consent to or refuse behavioral health services such as counseling or therapy. It suggests that some children who refuse treatment – and their families – would be better off if the child received the treatment, and that perhaps their parents should have authority to make those decisions. It calls on the Department of Health to conduct a study of whether there are better outcomes for children in states that provide for joint parental consent compared to outcomes in NM. SRC/SHPAC. *SRC hearing scheduled for today.*

Brain Injury

SB 386 Allow chiropractors to clear student athletes. Sen. Natalie Figueroa. Current law requires student athletes who have sustained a brain injury to be held out of athletic activities for at least 10 days; they can then return to participation if they have no symptoms of a brain injury and have a written release from a healthcare professional. This bill would add chiropractors to the list of healthcare professionals who can provide such a release. SEC/SJC. Heard but failed to pass in SEC.

The proposed Medicaid waiver program mentioned in the Behavioral Health section above (HB 70) would include persons with brain injury among the groups served by the waiver.

Community Living and Services

HB 11 Family/medical leave benefit. Rep. Christine Chandler. The HCEDC substitute made significant changes to the original bill, creating two new programs: Family Wellness Leave and the Welcome Child benefit. Family wellness leave would be funded by payroll contributions and would provide up to six weeks per year of paid leave for oneself or a family member. The Welcome Child benefit would offer up to twelve weeks of *unpaid* leave to bond with a biological or adopted child within a year of the birth or adoption, along with a \$9,000 payment (in three \$3,000 monthly installments), to be funded by state appropriation. Passed the House; passed STBTC but was heard and *not* moved forward in SFC, effectively killing the bill for this session.

HB 40 Adult changing tables. Rep. Kathleen Cates. Mandates, by the year 2032, an adult changing table in a gender-neutral, single-occupancy restroom in "covered facilities" that receive at least 2,500 visitors a year. Covered facilities would include state-owned buildings that are open to the public and commercial places of public amusement such as theaters, convention centers, sports arenas or other businesses that accommodate at least 2,500 people at a time. Passed HHHC and HCEDC, awaiting vote in the House.

HB 47 Property tax exemptions for veterans. Rep. Art De La Cruz. Implements two recently adopted constitutional amendments expanding tax exemptions for veterans. One of these provides a property tax exemption for the principal residence of a disabled veteran at the same percentage as the veteran's disability percentage determined by the military. The exemption was previously available only to veterans who were rated as 100% disabled. Passed the House, passed the Senate.

HB 49 Closed captioning. Rep. Cynthia Borrego. Requires TV screens viewed by patrons of public accommodations, such as bars, restaurants, stores, airports, etc, to display closed captioning, in order to provide equal access to hearing-impaired persons. A substitute version was approved in HJC that allows hearing-impaired individuals to go to court to compel compliance with the law. Passed the House; passed SHPAC, pending in SJC.

HB 55 PCS reimbursement rates. Rep. Pamela Herndon. Requires HCA to increase its reimbursement rate for Personal Care Services to at least \$23.50 per hour, at a cost of \$20.8 million, and mandates that at least 70% of the rate paid to agencies to provide this service is passed through as compensation to the individual workers who provide the service, in the form of salary or benefits. *This would result in hourly compensation to workers of at least \$16.45/hour.* Passed HHHC, pending in HAFC.

HB 111 Searching for service animals. Rep. Marian Matthews. In the event of a residential fire or similar emergency, this bill would require first responders such as EMTs or firefighters to conduct a reasonable search for a service animal if one is reported missing by the owner. Passed the House; passed SCONC, pending in SJC.

HB 131 Caregiver criminal background checks amendments. Rep. Liz Thomson. Transfers responsibility for these background checks from DOH to HCA, adds many additional crimes that would prohibit a convicted felon from serving as a caregiver, and allows HCA to add additional disqualifying crimes to the list. *Same as SB 222, below.* Passed the House; pending in SJC.

HB 269 Open EVV system. Rep. Gail Armstrong. Requires the HCA to allow providers of personal care services to use any Electronic Visit Verification system that meets federal requirements to verify the provision of services, rather than having to use only one system mandated by the state for all providers and in all parts of the state. Passed the House; passed STBTC, awaiting Senate vote.

HB 339 Human Rights Act amendments. Rep. Angelica Rubio. Expands the scope of the Human Rights Act to prohibit discrimination based on an individual's source of income, including public assistance programs or vouchers, in financial assistance programs and rental or purchase of housing. It also provides that investigations and enforcement involving public accommodations and housing will be handled by the Attorney General rather than the Human Rights Commission. Passed the House; passed STBTC, pending in SJC.

SB 103 PCS data reporting. Sen. Antoinette Sedillo-Lopez. Requires HCA to collect and annually report data on compensation, including benefits, paid to direct care workers providing Personal Care Services in the Medicaid Community Benefit program, as well as demographic information about this workforce including the number of workers, their age, gender, and years of work experience. No later than 2030, the HCA would be required to perform a rate study and develop recommended payment rates for this service, with the intention of assuring that the rates would allow direct care workers to earn at least 150% of the state minimum wage. Passed SHPAC, pending in SFC.

SB 192 Property tax exemptions for disabled veterans. Sen. M.D. O'Malley. Implements a recently adopted constitutional amendment by providing a property tax exemption for the principal residence of a disabled veteran at the same percentage as the veteran's disability percentage determined by the military. STBTC/SJC. *This provision was incorporated into HB 47 which has passed the Legislature.*

SB 222 Caregiver criminal background checks amendments. Sen. Antoinette Sedillo-Lopez. *Same as HB 131, above.* SHPAC/SJC.

SB 372 Relay service funding. Sen. Antoinette Sedillo Lopez. Establishes a small fixed monthly surcharge on telephone customers, including cell phone users, to support the relay service operated by the NM Commission for the Deaf and Hard of Hearing. This would replace the current funding

mechanism for the relay service, which is based on a percentage of the cost of a certain component of cell phone bills and has been a declining and unreliable source of income. Passed STBTC, pending in SFC. *Further movement on this bill is unlikely in light of the introduction of SB 535, below.*

SB 535 Workers' compensation and telephone relay funds. Sen. George Muñoz. This bill amends the law governing the telephone relay fund to create a similar funding stream for the 988 behavioral health hotline and support program. It also gives the NM Commission for the Deaf authority to use a greater portion of the annual income to the fund, solving some of its short-term funding challenges. *However, it continues the existing funding mechanism for the Commission and thus does not resolve the problem of declining revenues to the fund.* Passed Senate; awaiting House committee assignments.

SB 558 Medicaid waiver for older adults. Sen. Pete Campos. Directs the HCA to apply for a Medicaid waiver to provide home and community-based supports and services to adults age 65 or older with a chronic debilitating disease. Appropriates \$2 million for the development of the proposed waiver. *It is not clear how this would differ from the existing community benefit program under Turquoise Care, which is the state's managed care Medicaid program.* SHPAC/SFC. *Scheduled for hearing in SHPAC today.*

Developmental Disabilities Services

HB 42 Medicaid waiver rate increases. Rep. Kathleen Cates. Provides \$6.3 million to the Health Care Authority to increase rates for certain Medicaid waiver provider agencies. *This is intended to benefit DD waiver providers but the bill is not clear about this.* Passed HHHC, pending in HAFC. *Scheduled for hearing in HAFC today.*

HB 357 No GRT in Mi Via budgets. Rep. Tara Luján. Establishes that the funding amount in an approved Mi Via budget is for the cost of the services to be provided, and that any gross receipts tax imposed by a provider would not be taken out of that budget but would be paid for through a separate payment mechanism. *It's not clear how that mechanism would work or who would pay the GRT.* Passed the House; passed STBTC, awaiting Senate vote.

SB 198 Supplemental FIT funding. Sen. Leo Jaramillo. Appropriates \$2.2 million to ECECD to cover the cost of reinstating rate increases to provider agencies in the Family Infant Toddler program. The rate increases had been announced and implemented beginning in July 2024 but were then rescinded several weeks later, after many providers had already hired new staff or given raises based on the promised funding. *There is \$2 million in HB 2 for this purpose, to cover the second half of the current fiscal year.* Passed SHPAC, pending in SFC.

SB 395 Special Olympics funding. Sen. Linda Lopez. Appropriates \$100,000 for support of Special Olympics in New Mexico. Passed SHPAC, pending in SFC.

Education/Special Education

HB 260 Seclusion and restraint. Rep. Yanira Gurrola. Affirms the existing prohibition on the use of mechanical restraints or seclusion on public school students, sets clear limits on the use of physical restraint, and clarifies and defines allowable interventions such as de-escalation, physical escort and time-out. Involuntary detention of a student in a room or other area is allowed so long as there is line-of-sight supervision of the student and only when there is imminent threat of physical harm to the student or another person. The bill requires training of school personnel and a detailed report to the student's parents when physical restraint or involuntary detention is used. Passed the House; passed SEC, pending in SJC.

HB 300 Seizure-safe schools act. Rep. Martin Zamora. Calls for annual training of school employees and bus drivers on management of students with seizure disorders, and training for school nurses and school employees who volunteer to be "seizure care personnel". A parent or guardian of a student with seizure disorder can submit an action plan to the school, to be distributed to school employees and bus drivers responsible for supervision or care of the student. *Same as SB 246, below.* HEC/HJC.

HB 490 Discriminatory discipline and bullying. Rep. E. Diane Torres-Velasquez. Amends requirements for local school board policies to add disability and certain other factors that cannot be used as the basis for discipline or discrimination, and prohibits bullying or punishment based on disability. HEC/HJC.

SB 38 Office of Special Education. Sen. Mimi Stewart. Designates the Office of Special Education as a division in the PED organizational structure, to be led by a deputy secretary of the department. The bill would spell out the duties and responsibilities of both the division and the department. A provision calling for the transfer of the Office of the Special Education Ombud out of the DD Council and into the PED has been dropped from the bill. Passed the Senate; HEC/HJC. *This bill is not expected to progress further due to the apparent opposition of HEC leadership.*

SB 147 Expulsion or suspension from Pre-K. Sen. Harold Pope. Prohibits pre-K and child care facilities from expelling children, and limits in-school or out-of-school suspensions to situations where the child has willfully caused or threatened to cause great bodily harm to another person. Even in those situations, the child could not be suspended for more than three days. Passed SEC, pending in SJC.

SB 238 Youth behavioral health. Sen. Mimi Stewart. Appropriates \$1.45 million to PED for a youth behavioral health prevention project. The bill is detailed in the type of project that would qualify for the funding and the contract would have to go to an entity with experience in providing the same service in other states. Passed SEC, pending in SFC.

SB 246 Seizure-safe schools act. Sen. Harold Pope. *Same as HB 300, above.* SEC/SJC. Heard but failed to pass in SEC.

Guardianship, Self-Determination and Protection of Vulnerable Persons

HB 124 Guardian/conservator authority. Rep. Joanne Ferrary. Establishes procedures for the appointment of a new guardian or conservator of a protected person in the event of the death of a guardian or conservator, and provides an opportunity for a guardian or conservator to be appointed as personal representative to make funeral arrangements and wrap up any estate when a protected person dies and no one else seeks such an appointment. Passed the House; SJC.

HB 125 Conservator liability waivers. Rep. Marian Matthews. As amended, this bill repeals the existing prohibition of waivers of liability for conservators of protected persons. Instead, the court with jurisdiction over the case could, after a hearing, enter an order approving the conservator's final report and protecting the conservator from any further claim related to the conservator's management of the estate. *This would prevent any action against a conservator for any irregularity or misuse of funds discovered after the conservator's report was approved.* Passed HCPAC and HJC, awaiting House vote.

HB 149 Supported decision-making. Rep. Michelle Abeyta. Authorizes supported decision-making agreements in New Mexico law. Such agreements would allow individuals designated by a person with a disability (including elders) to assist that person in making decisions, but not to make decisions for or in place of the person with a disability. The bill also funds the establishment of an SDM program at the DD Council. Passed the House unanimously; passed SJC, pending in SFC. *HB 2 currently contains \$229,000 to establish the SDM program, contingent on passage of this bill.*

HB 197 Expand definition of Silver Alert. Rep. Joseph Sanchez. Adds persons believed to have cognitive decline or impairment to the list of those who, if missing, could trigger a "Silver Alert" to assist in locating the missing person. Passed the House; passed STBTC, awaiting Senate vote.

HB 301 Silver alerts via text message. Rep. Martin Zamora. Directs cell phone service providers to issue silver alerts via text to cell phone customers, similar to what happens now with amber alerts for missing children. Silver alerts relate to adults with certain impairments who are missing and may be in danger. HCPAC/HCEDC.

SB 419 Financial exploitation. Sen. Leo Jaramillo. Amends existing law to extend delays in processing financial transactions when there is good reason to believe that the transaction may involve

financial exploitation of a vulnerable adult. The bill also creates a role for Adult Protective Services in responding to such incidents. *For purposes of this law, a vulnerable adult is one who is 65 years old or older, or is a protected person under a guardianship or conservator order.* Passed STBTC, pending in SJC.

See also SB 166 above, in the Behavioral Health section, expanding the criteria for involuntary civil commitments.

Health Care – General

HB 118 Housing assistance for health care workers. Rep. Kathleen Cates. Authorizes the NM Mortgage Finance Authority (now re-named Housing New Mexico) to provide loans for down payments or closing costs for a home purchase by a health care professional who pledges to practice in New Mexico for at least 10 years. The loans, up to 10% of the value of the home, would be available only to health care professionals earning less than 151% of the median income in the county where the home is located. The loan would be forgiven after the 10 years of practice. The bill appropriates \$5 million for this program. Passed HGEIC, pending in HAFC.

HB 186 Medicaid Forward. Rep. Reena Szczepanski. Directs the HCA to develop and implement a program to expand healthcare coverage by allowing people whose incomes exceed current Medicaid income eligibility limits to buy the same coverage by paying premiums on a sliding scale. Passed HHHC, pending in HAFC.

HB 399 Nursing home payment rates. Rep. Mark Duncan. Appropriates \$19.7 million to the Health Care Authority to increase Medicaid reimbursement rates for nursing facilities. *Same as SB 97, below.* HHHC/HAFC. *HB 2 currently contains \$9 million in the HCA budget to “re-base” nursing home payment rates.*

HB 400 Cost studies for Medicaid services. Rep. Mark Duncan. Requires the HCA to conduct a cost study every three years of every type of health care provided through the Medicaid program, and to include or reference those cost studies when they submit their annual budget request to the legislature. HHHC/HGEIC.

SB 88 Medicaid trust fund. Sen. George Muñoz. Establishes a trust fund to help support the Medicaid program in future years. The fund would receive dividends and capital gains from investments under the supervision of the State Treasurer, which currently amount to about \$280 million annually. Once the fund balance reaches \$2 billion, the dividends and capital gains from the Treasurer’s office would again flow into the state general fund, and five per cent of the fund’s assets at the end of each year would be transferred to a related program fund that the Legislature could use to meet the state’s share of Medicaid expenses. Passed the Senate; passed HHHC, pending in HAFC.

SB 97 Nursing home payment rates. Sen. Pat Woods. *Same as HB 399, above.* Passed SHPAC, pending in SFC. *HB 2 currently contains \$9 million in the HCA budget to “re-base” nursing home payment rates.*

SB 207 Access to treatment for rare diseases. Sen. Liz Stefanics. Prohibits prior authorization or “step therapy” requirements for FDA-approved drugs used to treat rare medical conditions. SHPAC/SJC.

Health Care – Interstate compacts

Interstate compacts are agreements among states that make it easier for professionals licensed in one state to work in another state that is a party to the compact.

HB 79 Interstate audiology and speech language pathology (SLP) compact. Rep. Liz Thomson. Passed the House; SJC/SFC.

HB 81 Interstate occupational therapy compact. Rep. Liz Thomson. Passed the House; SJC/SFC.

HB 82 Interstate physical therapy compact. Rep. Liz Thomson. Passed the House; SJC/SFC.

HB 217 Interstate counseling compact. Rep. Pamela Herndon. Passed the House; SJC/SFC.

HB 242 Interstate psychology compact. Rep. Marian Matthews. Passed the House; SJC/SFC.

HB 243 Interstate medical licensure compact. Rep. Marian Matthews. Passed the House; SJC.
HB 412 Interstate compact for EMS. Rep. Gail Armstrong. Passed HGEIC, pending in HJC.
HB 413 Interstate compact for physician assistants. Rep. Gail Armstrong. Passed the House; SJC.
HB 441 Interstate compact for dentists and dental assistants. Rep. Gail Armstrong. Passed HHHC, pending in HJC.
SB 46 Interstate medical licensure compact. Sen. Linda Trujillo. SHPAC/SJC. Passed SHPAC, pending in SJC.
SB 104 Interstate audiology/SLP compact. Sen. Linda Trujillo. Passed SHPAC, pending in SJC.
SB 105 Interstate social work compact. Sen. Linda Trujillo. Passed the Senate; passed HHHC, pending in HJC.
SB 106 Interstate psychology compact. Sen. Linda Trujillo. Passed SHPAC, pending in SJC. *Scheduled for hearing in SHPAC today.*
SB 403 Interstate compact for dentists and dental assistants. Passed SHPAC, pending in SJC.

Other

HB 119 State contractor payment rates. Rep. Kathleen Cates. Allows companies that provide services pursuant to state contracts to *request* that their contracts be increased in order to meet the costs of any new benefits or compensation they would be required to provide to their employees as a result of any new state law mandate. However, there is no requirement that the contracts be amended. The Health Care Authority would be required to request federal approval to raise Medicaid reimbursement rates for their contractors in such circumstances but would not actually be required to implement increased rates. Passed HHHC, pending in HAFC.
HB 120 Accessibility Act. Rep. Tara Luján. Requires all state agencies to comply with federal standards for accessibility of web content as well as physical accessibility of offices, and creates a state Office of Accessibility in the Governor’s Commission on Disability to assist state agencies in making their operations accessible to persons with disabilities. Individuals with disabilities would be authorized to sue state agencies to compel compliance with accessibility standards and could recover attorney fees if successful. Passed HGEIC and HJC, withdrawn from HAFC, awaiting House vote.
HB 207 Converting the special needs adoption tax credit to a general adoption credit. Rep. Rebecca Dow. As introduced, this bill would have eliminated the current targeted tax credit for parents who adopt a special needs child and replaced it with a tax credit for the adoption of *any* child. The bill has been amended to provide for a higher credit for adoption of a special needs child, recognizing that this serves as an incentive for such adoptions, which typically involve expenses above and beyond those associated with other children. Passed HHHC; heard and tabled in HTRC.

Contacting Your Legislators

You can find out who your senator and representative are and get their contact information on the Legislature’s web page at https://www.nmlegis.gov/Members/Find_My_Legislator.

From that page, choose “Search by Your Address” for either the House of Representatives or the Senate. Then ...

- Enter your full home address in the box provided under “Your Address” and click on “Search”.
- You should now see a picture of your representative or senator.
- Click on his or her name to get contact information. Contact information for the legislator’s district legislative aide will also be listed.
- From the same page with the picture you can choose a different political body to find out who else represents you in Santa Fe or in the U.S. Congress.

Each legislator has an office in the Capitol. You can find the office phone number in the contact information provided through the Find My Legislator function, or you can call the Capitol switchboard at 505-986-4300 and ask to be put through to the office of any legislator. We encourage you to bring the voice of the disability community to the Legislature!

ABBREVIATIONS USED IN THESE REPORTS

Legislature and Committees:

HB	House Bill
HAFC	House Appropriations and Finance Committee
HCEDC	House Commerce and Economic Development Committee
HCPAC	House Consumer and Public Affairs Committee
HEC	House Education Committee
HGEIC	House Government, Elections and Indian Affairs Committee
HHHC	House Health and Human Services Committee
HJC	House Judiciary Committee
HLVMC	House Labor, Veterans, and Military Affairs
HM	House Memorial
HTPWC	House Transportation and Public Works and Capital Improvements Committee
HTRC	House Taxation and Revenue Committee

SB	Senate Bill
SCONC	Senate Conservation Committee
SEC	Senate Education Committee
SFC	Senate Finance Committee
SHPAC	Senate Health and Public Affairs Committee
SJC	Senate Judiciary Committee
SM	Senate Memorial
STBTC	Senate Tax, Business and Transportation Committee

State Agencies:

AOC	Administrative Office of the Courts
CDHH	Commission for Deaf and Hard-of-Hearing Persons
CFB	Commission for the Blind
CYFD	Children, Youth and Families Department
DDC	Developmental Disabilities Council
DOH	Department of Health
DPS	Department of Public Safety
DVR	Division of Vocational Rehabilitation (within PED)
ECECD	Early Childhood Education and Care Department
GCD	Governor’s Commission on Disability
HCA	Health Care Authority
PED	Public Education Department

Other:

GRO Fund	Government Results and Opportunity Fund
SGF	State general fund