

NEW MEXICO SENATE DEMOCRATS

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BILL SEEKS TO RESTORE CARE LEVELS TO STATE'S DEVELOPMENTALLY DISABLED

A bill being considered by the Senate Public Affairs Committee would require the Department of Health and the Department of Human Services to restore prior levels of medical care provided to the state's developmentally disabled before the federal government granted the state waivers to change the level of services in June 2011.

In addition, Senate Bill 458, sponsored by Senator Nancy Rodriguez (D, Santa Fe, District 24), would require the departments to obtain prior approval from the Legislature before it applies, renews or modifies any waivers submitted to the federal Developmental Disabilities Home- and Community-Based Services program that funds the care services and approves the rates paid to in-state providers.

The federal government allows the state to apply for the waivers every four years. The feds pay about 70 cents to every dollar into the multi-million dollar program while the state picks up the rest.

Advocates contend that this bill is needed because the last federally approved waiver, last applied for by the state without details known by the Legislature, severely limited the services to existing clients and reduced payments to health care providers. The last waiver resulted in many of the state's developmentally disabled to no longer qualify for home services, and limiting the services of others, even though they had been receiving such care for many years. It also reduced payments to health-care providers.

"The last waiver severely impacted the quality of care provided to some of our state's most severely disabled and needy citizens," said Senator Nancy Rodriguez. "We need to have more oversight of any changes and reduced level of care so that when future requests for waivers are submitted that might negatively affect eligibility, we can make sure that the level of care is maintained – or even enhanced.

"The 2011 waiver also caused many health-care providers to cut back on their own treatment programs and reduce their employee numbers. So it also affected our economy."

After SB 458 is heard by the Public Affairs Committee it heads to the Senate Judiciary Committee.