



***New Mexico Public Health Association***  
12<sup>th</sup> Annual Health Policy Legislative Forum

**Wednesday, December 9th, 2015  
Embassy Suites Hotel  
Albuquerque, NM**

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**LEGISLATIVE PROPOSALS**  
*for the*  
**2016 NEW MEXICO LEGISLATURE**



New Mexico Health Equity Partnership



Robert  
Wood  
Johnson  
Foundation

**Center for  
Health Policy**

at the University of New Mexico



*Montañas del Norte*

*Area Health Education Center*

**NEW MEXICO  
DEPARTMENT OF  
HEALTH**

NMPHA convenes this statewide Health Policy Legislative Forum every year to bring together organizations and individuals involved and interested in health policy and/or who are advocating for specific legislative initiatives in the New Mexico Legislature. The Forum provides an opportunity to share potential and proposed legislation, to build alliances and find partners, and to learn more about the legislative process in New Mexico.

The legislative proposals in this booklet have been submitted to the NMPHA, and will be presented at the 12th Annual Health Policy Legislative Forum. After the Forum, the Policy Committee will determine the level of support we are able to provide for the proposed legislation and make a recommendation to the NMPHA Board for approval.

# List of Contents—Organizations Presenting Proposals

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Aid in Dying	1
Anti-Institutional Racism	2
Community Health Specialist	3
Dental Therapists	4
Fair Lending	5
Farm to Schools	6
Hands-Only CPR in Schools	7
Medicaid	8
Medical Cannabis Discrimination	9
NMVC Food Tax	10
Restore Health Council Funds	11
School-Based Health Centers	12



***Sponsoring Organization:***

Compassion & Choices New Mexico

***Description of Proposed Legislation:***

As the clinical practice of aid in dying, allowing a mentally competent, terminally ill adult person, is being considered by the New Mexico Supreme Court, supportive legislative action is necessary: 1) An Amendment to Article 20 of the Constitution of New Mexico to add a new Section that allows a person to terminate their own life via medication if the person is a mentally competent, terminally ill adult; or 2) A proposal to adopt a statutory framework for the medical practice of aid in dying in New Mexico to allow the practice for mentally competent, terminally ill adults and to provide safeguards for such people, their families and caregivers.

***Background:***

Litigation was brought in New Mexico in 2012 to clarify the legality of the clinical practice of aid in dying, allowing a mentally competent, terminally ill adult person to ingest medication to control unbearable suffering by ending their life. The Second Judicial Court found this to be a fundamental right under the liberty clause of the state constitution in January of 2014; the state appellate court reversed this ruling in August 2015 in a split decision. The New Mexico Supreme Court heard the *Morris v. NM* case on Oct 26, 2015 and a statewide decision is imminent. Depending upon the nature of the Supreme Court decision, a statutory framework may be necessary to provide patient, family/caregiver and provider safeguards.

***Where is this proposal in the legislative process?***

Presented to interim committees - in concept, not the specific proposals; Bill drafted – two versions

Sponsor: Rep. Bill McCamley

***Is there someone who will lobby for you on this initiative?***

Compassion & Choices

***What other organizations are working with you to support this legislation?***

Pending

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists; sign on to endorsement letters

People who have been or may be directly impacted to testify

***Contact Information***

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***Sponsoring Organization:***

New Mexico Health Equity Working Group

***Description of Proposed Legislation:***

An Anti-Institutional Racism Bill will be introduced, strengthening the intent of Senate Memorial 33, which passed in 2012. SM33 encourages all agencies, organizations and contractors receiving state funding to examine their Anti-Institutional Racism policies. This 2015 Anti-Institutional Racism Bill will require entities that receive state funding to assess their workforce and organizational practices from an anti-institutional racism lens. Institutional racism exists when there is a differential access to the goods, services and opportunities of society due to the existence of institutional programs, policies and practices that intentionally or unintentionally place certain racial and ethnic groups at a disadvantage in relation to other groups.

***Background:***

Senate Memorial 33, addressing institutional racism, was passed during the 2012 Legislative Session, as the first kind of anti-institutional state legislation in the nation, receiving much national recognition. The 2016 Anti-Institutional Racism Bill will require state-funded agencies to conduct an assessment of their current workforce and practices.

***Where is this proposal in the legislative process?***

Still in planning/discussion phase;

Sponsors: Senator Linda Lopez and Representative Javier Martinez

***Is there someone who will lobby for you on this initiative?***

No

***What other organizations are working with you to support this legislation?***

NM Martin Luther King Jr State Commission; NM Asian Family Center; NM Forum for Youth in Community; Partnership for Community Action; B.C. Place Matters; and many other agency, organizational, and individual partners

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists;

Participate on Anti-Racism Day, February 3<sup>rd</sup> at 1:00 in the Rotunda at the State Legislature

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***Sponsoring Organization:***

Central New Mexico Community College, University of New Mexico

***Description of Proposed Legislation:***

In 2014, Rep. Miguel García sponsored a House Memorial 12. It passed unanimously and now CNM in collaboration with UNM is moving forward to propose a new work force which we are still currently calling “Community Health Specialists”. These are health professionals (physicians, nurses and dentists) from other countries that are able to health improve health outcomes and decrease health inequities, primarily through education.

***Background:***

We are proposing an innovative human resource opportunity to enhance community health: A “Community Health Specialist” that is a professionally – trained health worker from Latin America and other countries who brings a cultural, linguistic and professional competence much needed by our underserved and Hispanic population. Although, these professionally – trained health workers from Latin America and other countries may not have a U.S. recognized medical, pharmacy, or nursing license, these health professionals may still play a vital and much-needed and anticipated role on the healthcare teams in New Mexico if properly re-trained for a new role. As the Affordable Care Act rolls out and an increased need for primary care becomes ever more apparent, here is an opportunity for Central New Mexico Community College and University of New Mexico and other institutions in the state to create an abbreviated and expeditious pathway to re-train this workforce with new skills to serve our New Mexico communities.

***Where is this proposal in the legislative process?***

Still in planning/discussion phase; presented to interim committees

Sponsor: State Representative Miguel García

We are interested in pursuing funding to launch a pilot project with an evaluation component.

***Is there someone who will lobby for you on this initiative?***

No

***What other organizations are working with you to support this legislation?***

CNM, UNM-HSC and other community-based organizations

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists; Sign on to endorsement letters; Tracking legislation

Support to move this idea forward collectively!

***Contact Information***

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***Sponsoring Organization:***

Health Action New Mexico

***Description of Proposed Legislation:***

Adds Dental Therapists as a mid-level dental provider under NM law. Improves access to dental services and the health of rural, tribal and underserved New Mexicans. Answers NM rural and low-income communities' call for (1) dental therapists from their communities, for their communities, (2) educated in NM, and (3) economic and career opportunities for their citizens. Allows dental hygienists to expand their scope and practice as dental therapists in underserved communities.

***Background:***

Access to Dental Providers: a Health Crisis for Rural, Tribal & Underserved NM. NM is 39<sup>th</sup> worst in U.S. in number of dentists/1,000 people. NM dentists: 69% in metropolitan areas, 51% over age 55. Over 1.3 million in NM don't have meaningful access, must wait months for care. Result: Living in pain, missed school/work, medical emergencies, long-term health problems.

Solution: Dental Therapists. Dental professionals under supervision of off-site dentists 1,100 studies show provide quality, cost-effective dental services to underserved communities in 50 countries, Alaska and Minnesota. Dental therapists are from the communities they serve; expand reach of dentists using telemedicine.

***Where is this proposal in the legislative process?***

Endorsed by the Health & Human Services (HHS) Committee 2012, 2013 and 2014, by the Interim Indian Affairs Committee 2014. Presented to the Economic & Rural Development Cmte. twice.

There is no appropriation request. This is only an authorization bill.

Bipartisan sponsorship: Sen. Benny Shendo (D-Jemez), Rep. Dennis Roch (R-Texico)

***Is there someone who will lobby for you on this initiative?***

Health Action New Mexico

***What other organizations are working with you to support this legislation?***

The NMPHA has endorsed our legislation for many years for the following legislative sessions. (2011, 2013, 2014, and 2015); we have a statewide coalition and a long list of supporters.

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists; Sign on to endorsement letters;  
In-person lobbying of legislators and testifying at legislative hearings in support of dental therapist legislation.

***Contact Information***

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***Sponsoring Organization:***

The Fair Lending Coalition at Prosperity Works

***Description of Proposed Legislation:***

Capping all storefront lending at 36%. Predatory Lenders target and exploit our most vulnerable communities and families. 400 to 1500 percent interest is unconscionable.

***Background:***

There are more store front lenders in NM than there are fast food restaurants. This industry is one of the structures of poverty in NM that must be dismantled if we have any hope for family economic security.

***Where is this proposal in the legislative process?***

Presented to interim committees

***Is there someone who will lobby for you on this initiative?***

Prosperity Works, Lutheran Advocacy Ministry, organizations of the Fair Lending Coalition.

***What other organizations are working with you to support this legislation?***

Too many to mention.

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists

Sign on to endorsement letters

***Contact Information***

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Prosperityworks.net

***Sponsoring Organization:***

New Mexico Food and Agriculture Policy Council, Farm to Table – NM, and NM School Nutrition Association

***Description of Proposed Legislation:***

This request for \$1.44 million would provide as many as 343,000 school students statewide with NM grown fresh fruits and vegetables; ensuring NM's school meals programs have the budget needed to meet new federal requirements increases in fruits and vegetables in the school meal program. The purchase on NM grown produce will enhance the diets of school children, promote healthier lifestyles, and increase academic achievement. This is economic development for New Mexico's farming families and provides healthy options for children

***Background:***

This legislation has been introduced and built on since 2007. Currently there is \$364,300 recurring administered by the NM Public Education Department for statewide use. An additional \$85,000 recurring is administered by the NM Department of Agriculture specific to the Valley Cluster schools in Albuquerque.

The impact will assist schools with the increased fruit and vegetable costs and will benefit NM farmers economically. Almost all 218 School Food Authorities have purchased NM grown produce since the school year started in August (up from 60 last year). About 30 farmers participate in the program which provides economic opportunities for farmers across NM.

***Where is this proposal in the legislative process?***

Presented to the Legislative Health and Human Services Committee and Economic and Rural Development Interim Committee; Bill drafted; Requested appropriation: \$1.44 million recurring

Sponsors: Representatives Jimmie Hall and Speaker Don Tripp and Senators John Sapien and Pete Campos

***Is there someone who will lobby for you on this initiative?***

Pam Roy and Clark de Schweinitz

***What other organizations are working with you to support this legislation?***

New Mexico Food and Agriculture Policy Council and participating organizations and agencies; New Mexico School Nutrition Association; Southwest Organizing Project (SWOP); NM Farmers Marketing Association

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists; Sign on to endorsement letters; Tracking legislation

***Contact Information***

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***Sponsoring Organization:***

The American Heart Association

***Description of Proposed Legislation:***

This year the Heart Association will be working on securing an appropriation which would set up a grant program that schools can apply to teach hands only Psychomotor Skills CPR.

CPR is a lifesaving skill that is simple enough for anyone to learn. However, research has shown that several factors prevent bystanders from taking action, including fear that they will perform CPR incorrectly. By equipping our students with the skill of learning hands only CPR, we are creating a generation of lifesavers.

***Background:***

Throughout the years, CPR has evolved from a technique performed almost exclusively by physicians and healthcare professionals. Today it's a lifesaving skill that is simple enough for anyone to learn. The only requirement the AHA wants to see when it comes to teaching CPR in schools is that a nationally recognized hands only psychomotor skill (practice) program be used.

***Where is this proposal in the legislative process?***

Bill is currently being drafted;

Requested appropriation - \$100,000

Sponsors: Senator Howie Morales, Representative Conrad James;

Our sponsors are working to get this appropriation into the LFC (Legislative Finance Committee) budget

***Is there someone who will lobby for you on this initiative?***

Natasha Ning

***What other organizations are working with you to support this legislation?***

TBD

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists – we have the ability to do this but would love to share them with NMPHA and have them sent to their membership.

***Contact Information***

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***Sponsoring Organization:***

New Mexico Voices for Children

***Description of Proposed Legislation:***

This is the first year that NM will have to share in the cost of providing Medicaid coverage to the more than 200,000 low income adults who were enrolled because of the Medicaid expansion. The full cost of the state's share of the Medicaid budget growth (new or additional funding) is estimated to be about \$85 million.

***Background:***

Lawmakers and the media have raised concerns about the Medicaid budget, calling it a "runaway train" and a "budget buster". We will need a unified strong effort to achieve full funding without cuts or additional 'cost containment' measures.

***Where is this proposal in the legislative process?***

Presented to interim committees; Requested appropriation (by HSD)

No sponsor: it will be part of both the executive and LFC budgets

***Is there someone who will lobby for you on this initiative?***

Bill Jordan

***What other organizations are working with you to support this legislation?***

Many, including the NM Center on Law and Poverty, Disability Rights NM, Southwest Women's Law Center, Lutheran

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists;

Personal visits with lawmakers and testimony at HSD budget hearings.

***Contact Information***

Bill Jordan

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***Sponsoring Organization:***

Students for Sensible Drug Policy, Drug Policy Alliance-New Mexico

***Description of Proposed Legislation:***

Proposed legislation is a Senate Memorial requesting that the Workforce Solutions Department (WSD) study discrimination and barriers faced by medical cannabis patients in New Mexico and that it offer policy recommendations to ensure that their rights are protected. This WSD study would be conducted in conjunction with state health, criminal justice, and veteran services agencies as well as advocacy groups and other health-related nonprofits.

***Background:***

Differences between state and federal laws allow employers and landlords to discriminate against the rights of medical cannabis patients. A recent district court decision affirmed Presbyterian Hospital's right to deny employment to a legally enrolled medical cannabis patient for failing a pre-employment drug screen, while three recent NM Court of Appeals decisions held medical cannabis is covered by Workers' Compensation insurance. This confusion makes it difficult for employers to implement drug testing policies that ensure workplace safety while protecting the rights of medical cannabis patients.

***Where is this proposal in the legislative process?***

Still in planning/discussion phase; Bill drafted

Sponsor: Senator Jacob Candelaria

***Is there someone who will lobby for you on this initiative?***

Students for Sensible Drug Policy members, including chapter president and law student Brett Phelps

***What other organizations are working with you to support this legislation?***

Drug Policy Alliance-NM

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists

Sign on to endorsement letters

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***Sponsoring Organization:***

New Mexico Voices for Children

***Description of Proposed Legislation:***

Legislation has been proposed in the past two legislative session that includes reinstating the gross receipts tax on food grocery purchases in New Mexico as part of bigger tax packages.

***Background:***

The state stopped taxing food purchases in 2004, but the subject has come up again in recent years, and is likely to be debated during the 2016 legislative session. New Mexico Voices for Children has conducted extensive research on the food tax—including a health impact assessment—that indicates that not only will a food tax worsen the already -significant regressivity of New Mexico’s state and local tax systems, but it also will likely negatively impact the economic security, food insecurity, diet, and nutrition of New Mexico kids and families. Negative impacts to any of these health determinants could harm the health of some of New Mexico’s most vulnerable populations. Not only should the state not pursue a food tax, but it should consider increasing funding for other tax policies (like the Low-Income Comprehensive Tax Rebate and the Working Families Tax Credit) and food security initiatives that work to improve the health and economic well-being of New Mexico’s most vulnerable populations.

***Where is this proposal in the legislative process?***

Still in planning/discussion phase; Presented to interim committees; Bill drafted;

Sponsor: Rep. Jason Harper; Sen. Bill Sharer;

NMVC OPPOSES the portions of any legislation that propose taxing food purchases in the state.

***Is there someone who will lobby for you on this initiative?***

Bill Jordan

***What other organizations are working with you to support this legislation?***

Think New Mexico, NM Alliance of Health Councils, Lutheran Advocacy Ministry, Southwest Organizing Project, NM Food and Ag Policy Council, CHI St. Joseph’s Children, Center for Civic Policy, NM Asian Family Center

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists; Sign on to endorsement letters; Tracking legislation

***Contact Information***

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***Sponsoring Organization:***

New Mexico Alliance of Health Councils

***Description of Proposed Legislation:***

New Mexico's 38 county and tribal health councils have made major contributions to the health of New Mexico residents since their creation in 1991. State funding for the health councils (\$2.8 m.) was suspended in 2010, with \$195,000 restored in 2013 and \$200,000 restored in 2015. Restoration of \$700,000 is being sought in 2014 for local staff support to enable health councils to reach their full potential as essential parts of the state's public health system.

***Background:***

The health councils have successfully developed programs, policies, and partnerships in their communities, addressing locally-identified health needs and priorities, such as substance abuse, teen pregnancy, access to care, obesity and diabetes, interpersonal violence, emergency preparedness, and many others. New Mexico's health councils are a cost-effective way of improving our state's health, with exceptional return on investment, attracting up to an additional \$4 for every \$1 in state funding. In a state with a centralized public health system, the health councils provide an essential mechanism for community input and engagement, and community-based health assessment, planning, and locally-determined strategies for improving health.

***Where is this proposal in the legislative process?***

Presented to interim committees; Bill drafted; Requested appropriation

Sponsors: Rep. Sharon Clahchischillage is sponsoring in the House, and Sen. Howie Morales will sponsor it in the Senate.

***Is there someone who will lobby for you on this initiative?***

No

***What other organizations are working with you to support this legislation?***

J. Paul Taylor Task Force, Farm to Table, Health Action New Mexico, and others

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists; Sign on to endorsement letters; Tracking legislation

***Contact Information***

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***Sponsoring Organization:***

New Mexico Alliance for School-Based Health Care

***Description of Proposed Legislation:***

As a result of support from the Legislative Health and Human Services Committee, the New Mexico Alliance for School-Based Health Care will be advocating for the addition of \$550,000 dollars in the Department of Health FY 2017 budget to fund additional hours of health care services at school-based health centers.

***Background:***

There are 55 school-based health centers (SBHC) across the state that are funded, in part, by the Department of Health. They are a critical part of the healthcare delivery system, particularly for the preventive primary care, behavioral health and reproductive health care services that adolescents find it difficult to access otherwise. The funding for SBHCs is still at levels below that in 2008-09, and access needs to be restored for this vulnerable population.

***Where is this proposal in the legislative process?***

Bill drafted

Sponsor: Senator Jerry Ortiz y Pino

***Is there someone who will lobby for you on this initiative?***

Staff and Board will be lobbying as well as paid lobbyist Linda Siegle.

***What other organizations are working with you to support this legislation?***

Center on Law and Poverty

***What level(s) of support are you seeking from NMPHA or other organizations?***

Send action alerts to membership/email lists; Sign on to endorsement letters

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