



DISABILITY RIGHTS NEW MEXICO

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Promoting and Protecting the Rights of Persons with Disabilities

DISABILITY ISSUES IN THE 2019 LEGISLATURE STATUS REPORT #8

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(See page 11 for a list of abbreviations, including legislative committees, used in this report.)

Committee Hearings this week:

- *Monday afternoon:* In HJC: SB 395 (guardianship reform); in SJC: HB 83 (extreme risk protection orders), HB 364 (solitary confinement), SB 279 (Health Security Act)
- *Tuesday afternoon:* in HCPAC: HB 567 (students in need of accommodation)

It's the final week! This year's session ends at noon this Saturday, March 16. The competition is fierce for time on committee agendas to get bills heard, and especially for time on the House and Senate floor for debates and final votes on bills. Seventy bills have already made it through the process, many of which were in the "rocket docket" and have already been signed by the governor. Bills passed recently include SB 22, establishing an Early Childhood Department, and SB 8, requiring background checks for most gun sales. Education reform, minimum wage increases, recreational marijuana and other hot topics will dominate floor debates this week, but legislators will be pushing hard to get other bills heard before Saturday.

Many of the disability-related bills we're following are near the end of their journey. For example, SB 123 (using sick leave for care-giving), SB 204 (medical marijuana in schools), and SB 398 (dyslexia screening and services), just need a final vote in the House. HB 81 (limiting co-pays for OT/PT) just needs a final vote in the Senate.

Other bills have cleared one chamber and face one last committee hearing on the other side before their final vote in the other chamber. For example, HB 322 (improvements to autism insurance), HB 364 (limiting solitary confinement of persons with mental illness), HB 436 (incorporating protections of the ACA into NM law), and SB 395 (guardianship reform) all have their final committee hearing in the next few days and will then need a final vote in the Senate or the House.

The elusive state budget. HB 2, the state budget bill, passed the House about 3 weeks ago and was referred to the Senate Finance Committee. Senators filed their requests for amendments to the bill over a week ago, but so far the committee has not acted on those requests (at least not officially). Approval of the budget by both chambers is needed before the session ends on Saturday. Since the House expects to have time to review whatever changes are eventually

adopted in the Senate, we expect action on the budget bill by the committee in the next day or two. In the meantime, we don't know what changes are in store for the bill.

“House Bill 2 Junior” for House members (HB 548). This bill gives House members another bite at the budget apple – about \$400,000 each to allocate to state programs they support. Half of this is for one-time projects, and the other half is for on-going spending that will continue in future years. The total expenses in the bill come to about \$30 million. A version of HB 2 Junior for senators, with higher per-member allocations to recognize their larger districts, is expected soon but has not yet been released. Some of the funding earmarked in HB 548 of interest to the disability community:

Non-recurring:

- \$110,000 to rehab homes owned and occupied by low-income veterans
- \$50,000 for a behavioral health initiative in the international district of Albuquerque
- \$100,000 for teen mental illness and suicide prevention classes
- \$50,000 to fund a study of sexual assault on people with disabilities
- \$150,000 to foster one-to-one friendships between students with/without intellectual disabilities
- \$30,000 for mental health training for public education personnel at Gadsden school district
- \$175,000 for mental health navigator program in the Rio Rancho public schools

Recurring:

- \$17,500 to rehab homes owned and occupied by low-income veterans
- \$60,000 for equestrian-based therapy for clients with autism and PTSD in Chavez County
- \$50,000 to provide behavioral health and mental health services for juveniles in Sandoval County
- \$50,000 for autism services not covered by Medicaid, provided in a clinic in Lea County
- \$40,000 for teen mental illness and suicide prevention classes
- \$350,000 for supports and services for both children and adults related to autism spectrum disorders

Bills and Memorials Introduced in the 2019 Session

This list is grouped by disability or subject matter and shows the bill number, sponsor, a description of the bill and the current committee assignments and action taken on the bill or memorial. Although the deadline to introduce bills has now passed, memorials can be introduced at any time.

State Budget

HB 2 General Appropriation Act. Rep. Patty Lundstrom. This is the overall state budget bill, which appropriates funding to all state agencies. Passed the House 46-23; still under review in SFC, which is expected to release its version of the bill any day now. The current version includes:

- About \$45 million in new (additional) funding for the Medicaid program. HSD estimates that it needs \$61million in new money for the program in the coming year. The amount adopted by HAFC was based on staff projections that the actual cost would be lower than

HSD's estimate, but the LFC staff is now suggesting that another \$10 million should be added by the Senate in order to fully fund the program.

- The Developmental Disabilities Supports Division at DOH is slated to receive about \$19 million in additional funding, including \$7 million to move people off the DD waiver waiting list and into services, \$4 million to meet the increased costs of serving those already in the program, \$1.6 million for waiver provider rate increases, and \$1.5 million to assess the needs of individuals on the waiting list and to plan and develop a new "supports" waiver. The Family Infant Toddler program would receive over \$5 million in new money.

The bill also includes some special, one-time appropriations of interest: HSD would receive \$2.5 million for behavioral health services intended to reduce the cycle of persons with mental illness going through the criminal justice system; DOH would get an extra \$2 million to support its legal effort to end the *Jackson* lawsuit, and an extra \$5 million to supplement its budget for the current year to meet expenses in the FIT and DD waiver programs. The Office of Guardianship in the DD Planning Council is given permission to use some of its cash balance to meet the needs of persons on the waiting list for guardianship services.

Behavioral Health/Mental Health

HB 43 *Behavioral health interventions for non-violent offenders.* Rep. Sheryl Williams Stapleton. Charges HSD with responsibility to develop a method for meeting the needs of non-violent offenders with behavioral health diagnoses when they are in jail or prison and to connect them with supports and services when they are released, to reduce recidivism. HSD would be required to set up a grant program for counties seeking funds to implement the program. HB 2 includes \$2.5 million for this as a "special" (one-time) appropriation, so HAFC removed the funding from HB 43, and passed it along. Passed the House 60-0; passed SPAC, pending in SFC.

HB 59 *Non-discrimination against art therapists.* Rep. Christine Trujillo. Requires insurance companies to pay licensed art therapists for the services they provide if those services are covered by a policy and they pay other behavioral health providers for the same services. *Tabled indefinitely* in HHHC and very unlikely to move forward.

HB 83 *Extreme risk protection orders.* Rep. Daymon Ely. Allows for court orders for police to seize guns from those determined to pose a high risk of violence to themselves or others. The bill does not include any reference to mental illness, and is written so that it would apply to cases of domestic violence or other threatening situations, but the sponsor of the bill has made it clear that the primary intent of the bill is to allow for the confiscation of guns from people with mental illness who are suicidal or who pose a threat of gun violence to family members or other individuals. Passed the House 39-30; passed SPAC, *SJC hearing scheduled for Monday, 3/11.*

HB 153 *Suicide awareness training.* Rep. Patricio Ruiloba. Requires virtually all licensed health care providers to receive a one-hour training annually on suicide awareness and prevention. Passed the House 53-13; SPAC. *HB 548 includes \$100,000 non-recurring and \$40,000 recurring funds for this purpose.*

HB 267 *Info sharing and local councils.* Rep. Daymon Ely. Allows for information sharing without individual consent for research purposes or for continuity of care for persons with mental illness or developmental disabilities who are entering or being discharged from criminal justice facilities. The latest version of the bill eliminates funding for local criminal justice coordinating councils. Passed the House 62-0; passed the Senate 40-0.

HB 342 *Criminal justice reforms.* Rep. Antonio Maestas. One part of this omnibus bill is nearly the same as HB 43, above, directing HSD to develop a method for meeting the needs of persons with behavioral health diagnoses when they are in jail or prison and to connect them with supports and services when they are released. HSD would be required to set up a grant program for counties seeking funds to implement the program. This bill is not limited to non-violent offenders, and because it contains no appropriation, these provisions would not go into effect until funding is provided. Passed the House 61-0; amended and passed in the Senate 39-0; needs House concurrence with Senate amendments.

HB 348 *Emergency MH evaluations and restrictions on release of information.* Rep. James Strickler. Current state law allows a mental health professional to ask law enforcement officers to detain and transport an individual for emergency evaluation and treatment if the person poses an immediate danger to self or others due to mental illness. This bill would allow a court to order the law enforcement officer to enter a building where the person is believed to be present, in order to carry out the detention and transport, without the consent of the person or the owner of the building. In addition, the bill extensively amends the state MH/DD Code to limit the public disclosure of most police reports or video records of encounters with persons with mental illness when not directly connected to a criminal matter. Passed without recommendation in HHHC, pending in HJC.

HB 364 *Limiting solitary confinement.* Rep. Antonio Maestas. Prohibits jails and prisons from placing persons known to have serious mental illness, or who are exhibiting obvious signs of mental illness, in solitary confinement (“restricted housing”), with some exceptions. This prohibition would not apply during the first five days of detention. The bill also covers juveniles and pregnant women. Passed the House 61-2; *SJC hearing scheduled for Monday afternoon, 3/11.*

HB 500 *CYFD authority over boot camps.* Rep. Micaela Cadena. Gives CYFD licensing authority over facilities such as wilderness camps or boot camps serving youth with behavioral health issues or emotional disturbance. Passed the House 64-0; passed SPAC, awaiting Senate vote.

HB 563 *BH services in Albuquerque’s international district.* Rep. Sheryl Williams Stapleton. Appropriates \$200,000 to the Office of African American Affairs for behavioral health services in the “international district” in Albuquerque. Passed HHHC, heard and tabled in HAFC. *HB 548 includes \$50,000 for this purpose.*

SB 128 *Behavioral health clinic funding.* Sen. Mary Kay Papen. Would allow behavioral health clinics in rural or other underserved areas, if owned by a county or municipality, to access funding from the Behavioral Health Capital Fund to assist with construction, repair or remodeling. Passed Senate 42-0; passed HLLC and HAFC, awaiting final House vote.

SB 141 *Interstate psychology compact.* Sen. Jerry Ortiz y Pino. Adopts an interstate agreement regulating the temporary practice of psychology across state lines through tele-psychology. Passed SPAC, but tabled in SJC; dead for the session.

SB 152 *MH/DD Code grievance procedure.* Sen. Liz Stefanics. Requires DOH to establish a grievance procedure to address disputes related to a client’s consent to mental health treatment or a determination that the client lacks the capacity to consent. Held over in SPAC and unlikely to move forward.

SB 250 *Rural wrap-around services.* Sen. Mary Kay Papen. Appropriates \$7 million to HSD as the initial funding for a new program of supports and services to adolescents and adults with severe mental illness. The grant program would be focused on rural and underserved areas and would support case management, housing, employment, and other services intended to reduce relapse and promote and support independence. SPAC/SFC.

SB 334 AOT Funding. Sen. Mary Kay Papen. Provides \$1 million to DOH to pass through to cities or counties that have implemented an Assisted Outpatient Treatment program for involuntary treatment of individuals with mental illness. Passed SPAC, pending in SFC.

SB 495 Add members to BH Collaborative. Sen. Jerry Ortiz y Pino. Adds five members to the Behavioral Health Purchasing Collaborative: one representative each from the Behavioral Health Providers Association, the Municipal League, and New Mexico Counties, and two public members receiving behavioral health services who will be appointed by the Senate president pro tem and the House speaker. Passed SRC and SPAC, awaiting Senate vote.

SB 570 Crisis intervention through Project Echo. Sen. Jacob Candelaria. Appropriates \$350,000 to UNM to provide crisis intervention services through Project Echo, which is an internationally recognized telemedicine program. Passed SPAC, pending in SFC.

SB 583 Limiting psychotropic medications. Sen. Bill Tallman. Significantly restricts the use of psychotropic medications on foster children, and requires HSD to report to CYFD on the prevalence of psychotropic medication use for children and youth in foster care, residential treatment centers and other out-of-home placements. Passed SPAC, pending in SJC.

Brain Injury

SB 134 Brain injury fund appropriation. Sen. Jerry Ortiz y Pino. Appropriates \$500,000 for the Brain Injury Services fund. Passed SPAC, pending in SFC.

SB 171 Brain injury fee increase. Sen. Bill Tallman. Increases from \$5.00 to \$6.40 the portion of traffic violation fines that goes to support the Brain Injury Services Fund. *Tabled indefinitely* in SJC and very unlikely to move forward.

SB 327 Non-waiver of fine supporting BI fund. Sen. Cliff Pirtle. Requires that if an individual is cited for a traffic violation, the portion of the fine that is earmarked to support the Brain Injury Service Fund (currently \$5) cannot be waived, deferred or suspended by a court. Passed SCORC and SFC, but now referred to SJC.

Deafness/Blindness

HB 96 Blind parents' rights. Rep. Tomas Salazar. Prohibits blindness from being used as a basis for denial of parental rights. Passed HHHC, pending in HJC.

HB 243 Instructional opportunities for children with hearing impairment. Rep. Dayan Hochman-Vigil. Requires all school districts and charter schools to provide individualized instruction for children who are deaf or have moderate to severe hearing loss. The bill is intended to promote easier access to programs based solely on oral communication skills for children with hearing aids or cochlear implants. Public schools could provide such services directly or pay for placements at private schools such as the Presbyterian Ear Institute. Passed HHHC; a revised version is expected to be presented if it is heard in HEC.

Developmental Disabilities

HB 68 Reduce the DD Waiver waiting list. Rep. Liz Thomson. Directs the Department of Health to move 600 individuals on the waiting list into waiver services each year over the next five years, and appropriates \$25 million to DOH for this purpose. Passed HHHC, tabled without a hearing in HAFC. There is currently \$7 million for the waiting list in HB 2.

HB 69 Early detection of cerebral palsy. Rep. Liz Thomson. Appropriates \$200,000 to DOH to provide training to health care professionals on new methods for early detection of cerebral palsy. Passed HHHC, tabled in HAFC.

HB 354 Autism diagnosis and services. Rep. Liz Thomson. Appropriates \$3.6 million to the Department of Health to fund diagnostic and support services and a regional office on autism at both NMSU and UNM, to provide DD waiver services to youth who are now in residential

treatment facilities, and to fund an intensive residential supports program at UNM. It also appropriates \$400,000 to CYFD for wrap-around services for high-needs youth. Passed HHHC, tabled in HAFC. *HB 548 includes \$350,000 for this purpose.*

HB 422 *DDPC membership and duties.* Rep. Joanne Ferrary. Updates the provisions of state law establishing the DD Planning Council to align with current provisions of federal law that govern the Council. Passed HHHC and HJC, awaiting House vote.

SB 355 *DD provider rate increases.* Sen. Nancy Rodriguez. Appropriates \$5 million for rate increases for agencies providing direct care services to individuals in the DD waiver program. HB 2 currently includes \$1.6 million for this purpose. Passed SPAC, pending in SFC.

SM 25 *Medically fragile waiver task force.* Sen. Liz Stefanics. Calls on the Center on Development and Disability at UNM to convene a task force to develop recommendations for changes to the Medically Fragile waiver program. SRC/SPAC. Passed SRC and SPAC, awaiting final Senate vote.

Education Issues

HB 5 *Education changes.* Rep. Sheryl Williams Stapleton. Proposes a variety of changes to education policy and funding processes, including higher teacher salaries, funding for extended school time, more professional development time, and requirements that school districts report on how they spend the funding they generate based on special education enrollment. The bill has an estimated price tag of about \$450 million. Similar to SB 1, below. Passed the House 53-14; SFC.

HB 510 *School bus attendants.* Rep. Natalie Figueroa. Requires that there be at least one adult attendant on every school bus transporting one or more students with disabilities. The attendant would have to be trained in first aid and CPR, and in how to administer medications in an emergency situation. HHHC/HEC.

HB 532 *Friendships and inclusion.* Rep. Joanne Ferrary. Appropriates \$150,000 to the PED to support programs that promote friendships between students with and without intellectual and developmental disabilities and promote inclusion in school environments. Passed HEC, pending in HAFC. *HB 548 includes \$100,000 for this purpose.*

HB 567 *Students in need of accommodations.* Rep. Javier Martinez. Same as SB 467, below. HCPAC/HJC.

HB 591 *Mental, emotional and social health education.* Rep. Joy Garratt. Requires mental, social and emotional health education to be integrated into school curricula for grades K through 12. HEC/HHHC.

HB 615 *Mental health training for school personnel.* Rep. Raymundo Lara. Establishes a pilot program of training for school personnel on student mental health needs. Passed HEC, pending in HSEIC. *HB 548 includes \$30,000 for this purpose.*

HM 75 *Educational stability for foster children.* Rep. Patricio Ruiloba. Calls on CYFD to convene a task force to make recommendations to promote educational stability for children in foster care. Passed HEC, awaiting final House vote.

HJM 15 *School bus safety task force.* Rep. Natalie Figueroa. Calls on the PED to convene a task force to make recommendations about the safe transportation of special needs students in school busses. Passed HEC, awaiting House vote.

SB 1 *Education changes.* Sen. Mimi Stewart. Similar to HB 5, above, but this version doesn't increase teacher salaries as much as HB 5 and some of its effects are phased in over several years. Carries an estimated cost of around \$330 million. Passed the Senate 41-0; HAFC.

SB 48 *Diabetes management in schools.* Sen. Mimi Stewart. Requires training of public school staff in diabetes management, requires school personnel to provide diabetes management services in conjunction with an approved plan for individual students, and allows students to

self-manage their diabetes in school settings. **Passed the Senate and House, signed into law by the governor.**

SB 179 *Lottery scholarship eligibility.* Sen. Liz Stefanics. Extends lottery scholarship eligibility to students with disabilities who had to attend an out-of-state high school in order to receive a free, appropriate education (as required by the Individuals with Disabilities Education Act), if they graduated from an accredited school. **Passed the Senate and House, signed into law by the governor.**

SB 204 *Medical marijuana in schools.* Sen. Candace Gould. Directs public schools to allow parents/guardians or designated school personnel to store and administer medical marijuana in the school if the child is certified to receive it under state law because of the child's medical condition, but allows schools to opt out of this requirement in certain circumstances. Passed the Senate 35-2; passed HHHC and HEC, awaiting final House vote.

SB 229 *School support and accountability.* Sen. Mimi Stewart. Repeals the A-B-C-D-F school rating system and replaces it with a new set of criteria for rating schools. Reports on school performance would have to include data specific to students with disabilities. Passed the Senate 37-4; passed HEC, awaiting House vote.

SB 398 *Screening and services to children with dyslexia.* Sen. Mimi Stewart. Requires all school districts to screen first-grade children for possible dyslexia, and to develop and implement a literacy training program for all elementary school teachers. Passed the Senate 33-0; passed HEC, awaiting House vote.

SB 467 *Students in need of accommodations.* Sen. Linda Lopez. "Michael's Law" would establish extensive new requirements on public schools designed to provide individually appropriate supports and services to students with behavioral challenges and reduce referrals of students to the juvenile justice system. Most of the requirements in the bill would be triggered after a student's first violation of any provision of a school's code of conduct. The bill would require schools to adopt policies providing for the limited use of seclusion and restraint, in conflict with current provisions of law. Same as HB 567, above. SEC/SJC. Heard and held over in SEC.

SB 611 *Train school personnel re special needs students.* Sen. Linda Lopez. Appropriates \$500,000 to the Public Education Department to train teachers, assistants, resource officers and others on working with students with special needs. Passed SEC, pending in SFC.

SB 612 *Special education reform.* Sen. Linda Lopez. Increases the unit values for special education, which would substantially increase the amount of funding flowing to public schools to serve special education students. The bill would also increase the visibility and role of the special education program at PED. SEC/SFC.

SB 630 *Special education loans for service.* Sen. Linda Lopez. Authorizes the Higher Education Department to provide loans to students pursuing careers in special education, including teachers, therapists, diagnosticians, etc. The loans would be forgiven if the students complete the applicable educational and license requirements and work in areas designated as shortage areas. The bill authorizes a fund that would supply the loans, but there is no appropriation in the bill for such loans. SEC/SJC/SFC.

Health Care

HB 48 *Training on assisted listening technology.* Rep. Patricia Roybal Caballero. Requires audiologists and other hearing aid dispensers to provide information about assisted listening systems. Passed the House 58-0; passed SPAC, pending in SCORC.

HB 70 *Health insurance coverage of prosthetics and orthotics.* Rep. Liz Thomson. Requires insurance policies to cover prosthetics and orthotics to at least the same extent as Medicare and on terms equivalent to other covered services. Passed the House 55- 7; SPAC/SCORC.

HB 72 *Occupational therapy practice act.* Rep. Liz Thomson. Updates the OT practice act to reflect current standards and practices. **Passed the House and Senate, signed into law by the governor.**

HB 81 *Limiting co-pays for therapy services.* Rep. Eliseo Alcon. Limits the co-pays that insurance companies charge for occupational therapy, physical therapy, or speech/language therapy to the amounts they charge for primary care visits. Passed the House 45-16; passed SPAC and SCORC, awaiting final Senate vote.

HB 88 *Health care value & access commission.* Rep. Debbie Armstrong. Establishes a state commission to gather data about health care services and costs and to make recommendations to improve and better coordinate the provision of health care services in NM. Same as SB 101, below. Passed HHC, pending in HAF. C.

HB 90 *Aid in dying.* Rep. Debbie Armstrong. Authorizes prescriptions that an individual with a terminal illness could self-administer that would bring about the person's death. Amended to apply only to individuals expected to die due to the illness within six months, and to eliminate use of tele-health as a mechanism for a consulting health care professional to confirm the person's capacity and voluntariness. Similar to SB 153, below. Passed HHC and HJC, awaiting House vote.

HB 142 *Pre-existing condition exclusions.* Rep. Patricia Roybal Caballero. Prohibits health insurers from denying coverage to persons with pre-existing conditions, but does not prohibit higher premiums for coverage or annual or lifetime coverage limits. HHC/HJC.

HB 143 *PCS rate and wage increase.* Rep. Christine Trujillo. Provides \$6 million to HSD to increase provider reimbursement rates for Medicaid personal care services, with a requirement that at least half of the money be used to increase wages for the workers who provide personal care services. Passed HHC, tabled in HAF. C.

HB 213 *Family and medical leave program.* Rep. Patricia Roybal Caballero. Creates a new benefit program allowing employees to take paid leave to take care of themselves or other family members experiencing a serious medical condition. The benefit would be paid for through employee contributions and administered by the Department of Workforce Solutions. HCEDC/HJC/HEC.

HB 264 *Family and medical leave program.* Rep. Christine Chandler. This bill also creates a new benefit program providing paid leave for employees who need to take care of themselves or a family member due to a serious medical condition. The program would be funded by both employer and employee contributions. HCEDC/HJC/HEC.

HB 285 *Short-term and limited-benefit insurance plans.* Rep. Micaela Cadena. Establishes state standards for these plans and authorizes the Superintendent of Insurance to regulate them. Passed the House 67-0; passed SPAC and SCORC, awaiting final Senate vote.

HB 295 *Health Security Act.* Rep. Debbie Armstrong. Establishes a state Health Care Commission, beginning in 2021, with the authority to design a single-payer health care system for the state of New Mexico. The bill calls for development of a plan for adding long-term services and supports to the program after the first year of implementation. Same as SB 279, below. Passed HHC and HSEIC, then referred to HAF. C.

HB 322 *Autism coverage.* Rep. Liz Thomson. Prohibits health insurance companies and the Medicaid program from imposing age limits or expense limits on covered services for persons with autism. Such limits are prohibited by the federal Affordable Care Act but are still included in state law and continue to be imposed in both private insurance and the Medicaid program. Passed the House 50-14; passed SPAC, pending in SFC.

HB 414 *Nursing home closures.* Rep. Susan Herrera. Requires nursing homes to provide at least 90 days notice to residents, the Long-Term Care Ombudsman and others before a facility can be closed, and requires transition planning for the residents. Passed the House 50-10; SPAC.

HB 416 Medicaid buy-in. Creates a Medicaid buy-in program to offer a new health coverage option that will increase affordability and access to care by leveraging the Medicaid program. Same as SB 405, below. Passed HHHC, heard and tabled in HAFC.

HB 436 Incorporate ACA protections into state law. Rep. Liz Thomson. Amends New Mexico law to include many of the provisions of the ACA, such as prohibiting denial of coverage based on pre-existing conditions, barring higher premiums based on a person's disability, requiring coverage of essential health benefits, eliminating co-pays for preventive services, etc. Passed the House 40-24; SCORC.

HB 642 ALS support. Rep. Antonio Maestas. Appropriates \$100,000 to the Department of Health to contract with the state chapter of the ALS Association to provide supports and services to individuals with ALS and their caretakers. Passed HHHC, pending in HAFC.

SB 41 Medicaid providers due process. Sen. Mary Kay Papen. Provides procedural protections for Medicaid providers accused of fraud. Passed Senate 38-0; passed HHHC and HJC, awaiting final House vote.

SB 85 Domestic worker minimum wage. Sen. Liz Stefanics. Repeals a provision of state law that excludes "domestic workers" from minimum wage protections. This would assure that personal care workers, among others, would be paid at least the state minimum wage, and that the Department of Workforce Solutions would enforce their rights to such wages. Passed the Senate 25-16; passed HLVMC and HSEIC, awaiting final House vote.

SB 101 Health care value & access commission. Sen. Jeff Steinborn. Same as HB 88, above. Passed SPAC, pending in SJC, then to SFC.

SB 112 Limiting insurance policy changes. Sen. Liz Stefanics. The substitute version of the bill passed by SPAC prohibits health insurers from changing coverage or co-pays for prescription drugs during a plan year, and requires notice of any proposed changes at least 90 days before a new plan year. Passed SPAC; pending in SJC.

SB 123 Using sick leave for caregiving. Sen. Michael Padilla. Allows employees of private businesses as well as state and public school employees who have accumulated sick leave provided by their employer to use such leave to care for an ailing family member. Passed the Senate 26-14; passed HHHC and HLVMC, awaiting final House vote.

SB 153 Aid in dying. Sen. Liz Stefanics. Same as original version of HB 90, above. Passed SPAC, pending in SJC.

SB 185 Monitoring neurological disorders. Sen. Jeff Steinborn. Appropriates \$100,000 to DOH to establish a program to monitor the incidence of neurological disorders and to identify, prevent and treat such disorders. Passed SPAC, pending in SFC.

SB 279 Health Security Act. Sen. Carlos Cisneros. Same as HB 295, above. Passed SPAC, *SJC hearing scheduled for Monday, 3/11*; still has referral to SFC.

SB 405 Medicaid buy-in. Sen. Jerry Ortiz y Pino. Same as HB 416, above. Passed SPAC with amendments; pending in SFC.

SM 125 Study health care value and access commission. Sen. Jeff Steinborn. Calls for a study of establishing a health care value and access commission, as provided for in HB 88 and SB 101. SPAC.

Housing/Home Modifications

HB 82 Home rehab for veterans. Rep. Eliseo Alcon. Appropriates \$2 million to the Mortgage Finance Authority to rehabilitate homes owned and occupied by low-income veterans; includes home modifications for accessibility. Same as SB 46, below. Passed HLVMC, tabled in HAFC. *There is \$110,000 non-recurring and \$17,500 recurring funds in HB 548 for this purpose.*

HB 483 Zoning accommodations. Rep. Gregg Schmedes. Requires local zoning authorities to permit a second small home on a residential lot, even in an area zoned for only one home per lot,

if the second home is for the residence and care of a family member with disabilities. Passed HLLC, pending in HJC.

SB 46 *Home rehab for veterans*. Sen. Richard Martinez. Same as HB 82, above. Passed SPAC, pending in SFC.

SB 139 *Funding for GCD programs*. Sen. Jerry Ortiz y Pino. Appropriates \$300,000 to the Governor's Commission on Disability for its assistive technology and home modifications programs. Passed SPAC, pending in SFC.

Motor Vehicles/Accessible Parking

HB 136 *Voluntary driver registry*. Rep. Liz Thomson. Allows but does not require persons with disabilities to note, in conjunction with their car registration, that they have a disability that might affect their ability to communicate. Law enforcement officers would be required to consult the registry prior to interacting with a motorist and to take appropriate steps when attempting to communicate with a driver or regular passenger who is on the registry. Passed HTPWC, pending in HJC.

HB 209 *Car registration fee waiver*. Rep. Miguel Garcia. Allows a low-income person with a severe, permanent disability to register one vehicle owned by the person without having to pay the usual registration fee. HTPWC/HTRC.

HB 245 *Accessibility icon on specialty plates*. Rep. Dayan Hochman-Vigil. Directs the Motor Vehicle Division to develop an accessibility emblem or decal that could be affixed to any other specialty license plate. Same as SB 206, below, but not part of the "rocket docket". HTPWC/HTRC.

HB 248 *Blocking accessible parking spaces*. Rep. Martin Zamora. Makes it unlawful to park a motor vehicle in such a way that it blocks access to an accessible parking space, and establishes a fine of \$250 to \$500 for violations (the same as illegally parking in an accessible space). Passed the House 64-0; passed the Senate 41-0.

SB 189 *Parking placards for disability agencies*. Sen. Sander Rue. Allows agencies that own or lease vehicles used to transport individuals with disabilities to obtain parking placards for those vehicles, allowing them to be parked in accessible parking spaces. **Passed the Senate and House, signed into law by the governor.**

SB 206 *Accessibility icon on specialty plates*. Sen. Mark Moores. Same as HB 245, above. *This bill was originally part of the "rocket docket", but is not receiving expedited handling.* SCORC.

SB 236 *2nd free license plate for disabled veterans*. Sen. Ron Griggs. Allows disabled veterans to obtain two free specialty licenses plates rather than one as allowed under current law. **Passed the Senate and House, signed into law by the governor.**

Protective Arrangements and Services / Investigations

HB 61 *Sexual assault study*. Rep. Christine Trujillo. Appropriates \$450,000 to the Crime Victims Reparation Commission to conduct a study of sexual assaults against persons with disabilities and to identify needed improvements in data collection to support future steps to address this problem. Passed HHHC, tabled in HAFC. *HB 548 includes \$50,000 for this purpose.*

SB 42 *Expanding the use of "silver alerts"*. Sen. Richard Martinez. Expands these alerts to include endangered missing persons of any age who have dementia, and to all endangered missing persons over 50 years old. It also expands the dissemination of such alerts. Passed the Senate 38-0; passed the House 60-0.

SB 395 *Guardianship reforms*. Sen. James White. Clarifies the right of allegedly incapacitated persons to participate, present evidence, and cross-examine witnesses during court hearings.

Strengthens the requirement for a court review of existing guardianships at least every ten years by requiring the appointment of an investigator to assess the person's capacity and to report to the court on the need for continuing guardianship. Requires professional guardians and conservators to be certified and in good standing with a national or state certifying organization. Deletes an existing provision giving guardians of adults all the same rights as a parent of a minor child. Passed Senate 42-0; *HJC hearing scheduled for Monday, 3/11*.

SM 22 *Sexual assault task force*. Sen. Linda Lopez. Calls for a task force, appointed by the Legislature, to make recommendations on how to improve and coordinate reporting of sexual assaults against individuals with disabilities. Passed SRC and SPAC, awaiting final Senate vote.

Tax Exemptions/Limitations

HJR 3 *Low-income property tax exemption*. Rep. Miguel Garcia. Would amend the state constitution to exempt very low-income persons with severe disabilities from property taxes on a home they own and occupy. HLLC/HTRC.

HB 429 *Increasing income limits for property tax limitation*. Rep. Bill Rehm. Same as SB 220, below. Passed HLLC without recommendation; heard and tabled in HTRC.

SB 220 *Increasing income limits for property tax limitation*. Sen. Peter Wirth. Current law sets limits on increases of property taxes for low- to moderate-income homeowners who are elderly or have severe disabilities. This bill increases the income cap to qualify for the limitation from \$32,000 to \$35,000. Same as HB 429, above. Passed SPAC, pending in SCORC.

Contacting your Legislators

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

From this 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.

Each legislator has an office in the Capitol during the session. 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 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!

Policy and Legislative Action Network (PLAN): Join your friends and colleagues in working to promote favorable action on issues of concern to people with disabilities and their families. Become part of the PLAN! We'll let you know when there are opportunities to speak out on bills in the Legislature and other key issues, and give you background info and talking points; you show the power of the disability community by following up with calls or emails to public officials. Sign up by sending an email to info@drnm.org and put PLAN in the subject line.

ABBREVIATIONS USED IN THIS REPORT

Legislative Committees

HAFC	House Appropriations and Finance Committee
HCEDC	House Commerce and Economic Development Committee
HCPAC	House Consumer and Public Affairs Committee
HEC	House Education Committee
HHHC	House Health and Human Services Committee
HJC	House Judiciary Committee
HLVM	House Labor, Veterans, and Military Affairs
HLLC	House Local Government, Land Grants and Cultural Affairs Committee
HSEIC	House State Government, Elections and Indian Affairs Committee
HTPWC	House Transportation and Public Works Committee
HTRC	House Taxation and Revenue Committee
SCC	Senate Committees Committee
SCORC	Senate Corporations Committee
SEC	Senate Education Committee
SFC	Senate Finance Committee
SJC	Senate Judiciary Committee
SPAC	Senate Public Affairs Committee
LFC	Legislative Finance Committee (joint House-Senate committee that meets during the interim between legislative sessions)

State Agencies

ALTSD	Aging and Long Term Services Department
DDPC	Developmental Disabilities Planning Council
DOH	Department of Health
GCD	Governor's Commission on Disability
HSD	Human Services Department
PED	Public Education Department
WFS	Workforce Solutions Department