

LEGISLATIVE SUMMARY SHEET

Tracking No. 0318-18

DATE: September 25, 2018

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
NAABIK'IYATI' COMMITTEES; SUPPORTING THE A NEW MEXICO MEDICAID
PUBLIC OPTION BUY IN FOR HEALTHCARE

PURPOSE: The purpose of this legislation is to support the development of a Medicaid public option buy-in plan in New Mexico.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 5:5pm 9/27/18
Posting End Date: 10/2/2018
Eligible for Action: 10/3/2018

Health, Education & Human Services Committee
Thence
Naa'bik'iyati' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
23RD NAVAJO NATION COUNCIL—Fourth Year, 2018

INTRODUCED BY

Jonathan L. Hale
Primary Sponsor Amber Kanazbah Potts
TRACKING NO. 0318-18

AN ACTION
RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
NAABIK'IYATI' COMMITTEES; SUPPORTING THE A NEW MEXICO
MEDICAID PUBLIC OPTION BUY IN FOR HEALTHCARE

WHEREAS:

Section One. Authority

- A. The Health, Education and Human Services Committee of the Navajo Nation Council has legislative authority and oversight over all matters related to health on the Navajo Nation. 2 N.N.C. § 401 (C)
- B. The Naabik'iyati' Committee of the Navajo Nation Council has the legislative authority to assist the development of needed programs designed to serve the Navajo People. 2 N.N.C. § 701(A)(7)

Section Two: Findings

- A. More than 180,000 New Mexicans do not have health care coverage and are unable to afford existing health care coverage options.
- B. A Medicaid buy-in option would open Medicaid for any state resident to buy health care coverage, even if they are not currently eligible.
- C. A well designed Medicaid buy-in plan would create low cost insurance coverage options for everyone thereby promoting choices and competition in the insurance market in New Mexico.

1 D. The administrative costs associated with the Medicaid buy-in option would be built
2 into a well-designed plan, providing affordable care, increasing preventative care and
3 decreasing overall medical costs in the state.

4 E. The Navajo Nation finds it to be in the best interest of the Navajo Nation and the
5 surrounding New Mexico communities to support the development of a well-designed
6 New Mexico Medicaid public option buy-in plan for healthcare.

7
8 **NOW THEREFORE, BE IT RESOLVED:**

9 The Navajo Nation hereby supports and encourages the development of a well-
10 designed New Mexico Medicaid public option buy-in plan for healthcare.



Study Medicaid Buy-In Plan

Make Healthcare Affordable for All New Mexicans

Everyone deserves good healthcare and financial security. Healthcare costs are unsustainable for our families. More than 180,000 New Mexicans don't have coverage, and recent actions by the federal government are only driving up costs. **New Mexico needs a solution.** We can lead the way with a new plan that is gaining momentum in other states and nationally.

"We are all equal in deserving healthcare."



- Alfonso, Yah-ta-hey NM

What is the Medicaid buy-in option?

The Medicaid buy-in option is an innovative, healthcare coverage solution. It would open up Medicaid for any state resident to buy (even if they are not eligible for it now). The plan would create a **low cost coverage option for everyone**, promoting choices and competition in the insurance market. A well designed Medicaid buy-in plan could:

- **Greatly improve access to healthcare** by expanding coverage for people who are uninsured and reducing the costs of health insurance.
- **Help healthcare providers** and hospitals by covering more patients.
- **Help businesses** by opening up affordable coverage options for employers and workers.
- Ensure **insurance companies** direct **patient dollars to medical care**.

How will it affect healthcare costs for the State?

The costs to the State of administering a Medicaid buy-in option would be built into the price of the plan. Many low-income families will be able to get federal financial help to buy the plan. By offering a low cost option, the Medicaid buy-in plan would expand coverage and **reduce health system costs** for everyone. Coverage helps patients get timely and preventive care before medical conditions worsen and turn into costly emergencies.

How should New Mexico study the Medicaid buy-in option?

New Mexico's Legislative Health and Human Services Committee (LHHS) should explore the Medicaid buy-in plan and seek input from stakeholders and the community. The LHHS can evaluate the impact on healthcare providers to ensure the plan increases access to care.

**STATE OF NEW MEXICO
McKINLEY COUNTY**

Resolution NO. JUN-18-039

**A RESOLUTION TO SUPPORT NEW MEXICO'S DEVELOPMENT OF A PUBLIC
OPTION BUY-IN FOR HEALTHCARE COVERAGE TO BETTER ENSURE
AFFORDABILITY AND CHOICE**

WHEREAS, everyone in New Mexico deserves access to affordable, high quality healthcare coverage for the well-being of our families and economic prosperity; and

WHEREAS, healthcare costs are unsustainable for our families; and

WHEREAS, more than 180,000 New Mexicans still do not have health insurance, including over 16,000 McKinley residents; and

WHEREAS, the majority of people who remain uninsured earn incomes less than 200% of the poverty level and many work in jobs that do not provide health insurance; and

WHEREAS, health insurance costs are routinely cited as the number one reason why New Mexicans remain uninsured, according to surveys by the Health Insurance Exchange and national research groups; and

WHEREAS, low-income patients who buy health plans on the Health Insurance Exchange can expect to spend 8% to 30% of their income or more on total out of pocket healthcare costs, according to a cost estimator from New Mexico's Superintendent of Insurance, and the lowest premium Bronze plans have deductibles of \$6,400 or more per year; and

WHEREAS, 53% of low-income adults who have private health insurance through their employers, the marketplace, or individual coverage, and whose incomes are below 200% of the poverty level, have unaffordable healthcare costs according to the Commonwealth Fund's Healthcare Affordability Index; and

WHEREAS, New Mexicans who are uninsured or underinsured must often forego needed medical services, have less access to preventive care and behavioral health services, and may be forced to wait until medical conditions worsen into expensive and sometimes untreatable emergencies; and

WHEREAS, medical debt is a major obstacle for New Mexicans to gain financial security and build assets. In FY 2015, over \$80 million in patient debt to hospitals in the state was sent to collection agencies; and

WHEREAS, uncompensated care costs are shifted to healthcare providers, health insurance plans, and taxpayers, resulting in higher insurance premiums and health system costs; and

DOCH 385301

06/26/2018 02:51 PM Page: 1 of 3
RES. R. \$0.00 H. K. Becenti, McKinley County




WHEREAS, uncertainty at the federal level necessitates that New Mexico proactively explore innovative opportunities and solutions to provide greater access to affordable, high quality healthcare coverage to its residents; and

WHEREAS, Medicaid is a popular, trusted, low-cost coverage model that has served New Mexico well for over 50 years; and

WHEREAS, Medicaid currently covers over 850,000 New Mexicans, including over 43,000 McKinley County residents; and

WHEREAS, New Mexico can allow for state residents who are currently not eligible for Medicaid the option to buy into a healthcare coverage plan that is administered by Medicaid, by applying for a federal innovation waiver; and

WHEREAS, the plan is an innovative way to reduce healthcare costs and respond to federal actions that are driving up costs, causing people to lose coverage, and creating uncertainty in insurance markets; and

WHEREAS, the plan creates a low-cost coverage option that could be opened up to our families that are unable to access coverage now, people whose insurance premiums and deductibles are too high, and employers looking for affordable plans for employees; and

WHEREAS, the costs to the State of New Mexico of administering a Medicaid buy-in coverage plan are likely to be minimal by realizing potential savings in health system costs and maximizing federal financial subsidies available to individuals to purchase insurance; and

WHEREAS, the plan will reduce uncompensated care for healthcare providers and reduce strain on county indigent care funds by creating an affordable coverage option; and

WHEREAS, several states including Colorado, Maryland, Massachusetts, and Nevada have introduced legislation or initiated studies to explore the option of offering a Medicaid plan for consumers to buy coverage; and

WHEREAS, two bills were recently introduced in Congress, including the State Public Option Act and the Health Care Affordability and Choice Act, that would permit all states to provide Medicaid as a buy-in coverage option for their residents to purchase without the need to apply for a federal waiver; and

WHEREAS, New Mexico can design our own statewide healthcare for all option and is well-positioned to lead the country in offering a health coverage plan to buy through Medicaid, with nearly three-quarters of our population already covered by public healthcare programs including Medicaid, Medicare, state employee plans, and military coverage;

DOC# 385301

06/26/2018 02:51 PM Page 2 of 3
RES P \$0.00 H K Becenti, McKinley County



NOW, THEREFORE, BE IT RESOLVED, We, the Board of County Commissioners of McKinley County members do hereby support our New Mexico Legislature and our Governor to develop a statewide healthcare for all solution by designing a public option buy in for healthcare coverage, modeled on Medicaid or a similar plan.

BE IT FURTHER RESOLVED, in order to convey that message, that the County Manager send a letter and an email to each member of our state legislative delegation with this request and a copy of this resolution as ultimately approved by the Board of County Commissioners.

BE IT FURTHER RESOLVED THAT the County Manager ensure that this request is included in the McKinley County Commission's legislative requests for the 2019 Legislative Session.

BE IT FURTHER RESOLVED THAT the County Manager direct staff to do all that is necessary to ensure this is accurately conveyed to our state legislators with adequate time to submit and consider appropriate legislation.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT County staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

PASSED, APPROVED AND ADOPTED this 26th day of June 2018

MCKINLEY COUNTY BOARD OF COMMISSIONERS



Carol Bowman- Muskett, Commissioner

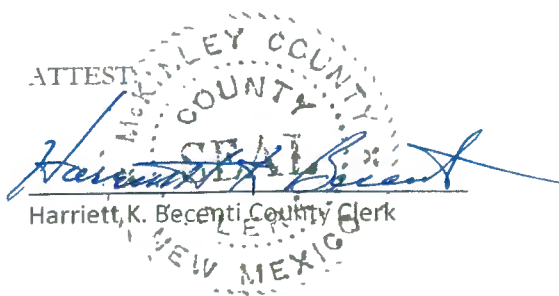


Genevieve Jackson, Chairperson



Bill Lee, Commissioner

ATTEST



Harriett, K. Becenti, County Clerk

DOCH 385301

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RES R:30 00 H. K. Becenti, McKinley County



**STATE OF NEW MEXICO
McKINLEY COUNTY**

Resolution NO. JUN-18-039

**A RESOLUTION TO SUPPORT NEW MEXICO'S DEVELOPMENT OF A PUBLIC
OPTION BUY-IN FOR HEALTHCARE COVERAGE TO BETTER ENSURE
AFFORDABILITY AND CHOICE**

WHEREAS, everyone in New Mexico deserves access to affordable, high quality healthcare coverage for the well-being of our families and economic prosperity; and

WHEREAS, healthcare costs are unsustainable for our families; and

WHEREAS, more than 180,000 New Mexicans still do not have health insurance, including over 16,000 McKinley residents; and

WHEREAS, the majority of people who remain uninsured earn incomes less than 200% of the poverty level and many work in jobs that do not provide health insurance; and

WHEREAS, health insurance costs are routinely cited as the number one reason why New Mexicans remain uninsured, according to surveys by the Health Insurance Exchange and national research groups; and

WHEREAS, low-income patients who buy health plans on the Health Insurance Exchange can expect to spend 8% to 30% of their income or more on total out of pocket healthcare costs, according to a cost estimator from New Mexico's Superintendent of Insurance, and the lowest premium Bronze plans have deductibles of \$6,400 or more per year; and

WHEREAS, 53% of low-income adults who have private health insurance through their employers, the marketplace, or individual coverage, and whose incomes are below 200% of the poverty level, have unaffordable healthcare costs according to the Commonwealth Fund's Healthcare Affordability Index; and

WHEREAS, New Mexicans who are uninsured or underinsured must often forego needed medical services, have less access to preventive care and behavioral health services, and may be forced to wait until medical conditions worsen into expensive and sometimes untreatable emergencies; and

WHEREAS, medical debt is a major obstacle for New Mexicans to gain financial security and build assets. In FY 2015, over \$80 million in patient debt to hospitals in the state was sent to collection agencies; and

WHEREAS, uncompensated care costs are shifted to healthcare providers, health insurance plans, and taxpayers, resulting in higher insurance premiums and health system costs; and

DOCH 385301

06/26/2018 02:51 PM Page: 1 of 3
RES R \$0 00 H, K Becenti, McKinley County



A handwritten signature in blue ink, appearing to be 'H. K. Becenti'.

WHEREAS, uncertainty at the federal level necessitates that New Mexico proactively explore innovative opportunities and solutions to provide greater access to affordable, high quality healthcare coverage to its residents; and

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WHEREAS, the plan is an innovative way to reduce healthcare costs and respond to federal actions that are driving up costs, causing people to lose coverage, and creating uncertainty in insurance markets; and

WHEREAS, the plan creates a low-cost coverage option that could be opened up to our families that are unable to access coverage now, people whose insurance premiums and deductibles are too high, and employers looking for affordable plans for employees; and

WHEREAS, the costs to the State of New Mexico of administering a Medicaid buy-in coverage plan are likely to be minimal by realizing potential savings in health system costs and maximizing federal financial subsidies available to individuals to purchase insurance; and

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WHEREAS, several states including Colorado, Maryland, Massachusetts, and Nevada have introduced legislation or initiated studies to explore the option of offering a Medicaid plan for consumers to buy coverage; and

WHEREAS, two bills were recently introduced in Congress, including the State Public Option Act and the Health Care Affordability and Choice Act, that would permit all states to provide Medicaid as a buy-in coverage option for their residents to purchase without the need to apply for a federal waiver; and

WHEREAS, New Mexico can design our own statewide healthcare for all option and is well-positioned to lead the country in offering a health coverage plan to buy through Medicaid, with nearly three-quarters of our population already covered by public healthcare programs including Medicaid, Medicare, state employee plans, and military coverage;

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06/26/2018 02:51 PM Page 2 of 3
RES R \$0.00 H K Becenti, McKinley County



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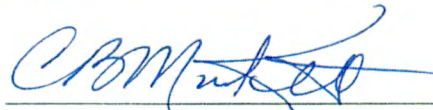
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BE IT FURTHER RESOLVED THAT the County Manager direct staff to do all that is necessary to ensure this is accurately conveyed to our state legislators with adequate time to submit and consider appropriate legislation.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT County staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

PASSED, APPROVED AND ADOPTED this 26th day of June 2018

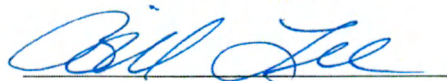
MCKINLEY COUNTY BOARD OF COMMISSIONERS



Carol Bowman- Muskett, Commissioner



Genevieve Jackson, Chairperson



Bill Lee, Commissioner

ATTEST

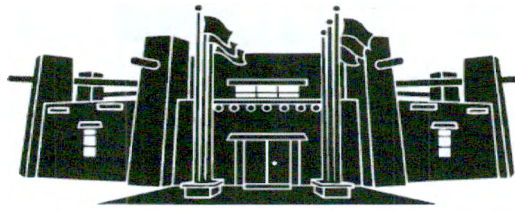


Harriett K. Becenti, County Clerk

DOCH 385301

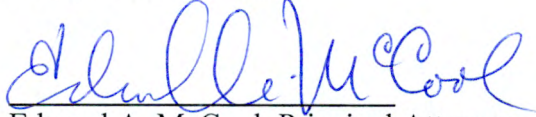
06/26/2018 02:51 PM Page 2 of 3
RES R:50 00 H:K Becenti, McKinley County





MEMORANDUM

TO: Honorable Jonathan Hale
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: September 25, 2018

SUBJECT: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'YATI' COMMITTEES; SUPPORTING THE A NEW MEXICO MEDICAID PUBLIC OPTION BUY IN FOR HEALTHCARE

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0318-18

SPONSOR: Jonathan Hale

TITLE: An Action Relating to Health, Education and Human Services, Naabik'iyati' Committees; Supporting the a New Mexico Medicaid Public option buy in for healthcare

Date posted: September 27, 2018 at 5:15

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0318-18

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating to Health, Education and Human Services, Naabik'iyati' Committees; Supporting the a New Mexico Medicaid Public option buy in for healthcare

Posted: September 27, 2018 at 5:15 PM

5 DAY Comment Period Ended: October 2, 2018

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

10/3/2018 8:15am

Date/Time

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO
NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0318-18

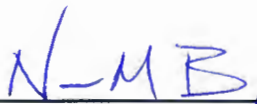
AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
NAA'BIK'IYATI' COMMITTEES; SUPPORTING THE NEW MEXICO MEDICAID PUBLIC
OPTION BUY IN FOR HEALTH CARE

(Note: Eligible for Committee Action October 03, 2018)

Sponsor: Honorable Jonathan L. Hale

Has had under consideration and report the same with the recommendation
that Legislation 0318-18 PASS with no Amendment and no Directive; and
therefore referred the same to the NAA'BIK'IYATI' COMMITTEE OF THE NAVAJO
NATION COUNCIL

Respectfully Submitted,



Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee

October 22, 2018 - Main Motion

Motion by: Honorable Nathaniel Brown

Seconded by: Honorable Jonathan L. Hale

Vote: 3 in favor; 0 Opposed; Vice-Chairperson Not Voting

Yeas: Nathaniel Brown; Jonathan L. Hale; Nelson BeGaye

Nays: None

Absent (excused): None

Not Voting: Amber Kanazbah Crotty

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE

Regular Meeting
October 22, 2018

Roll Call
Vote Tally Sheet

LEGISLATION NO. 0318-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
NAA'BIK'IYATI' COMMITTEES; SUPPORTING THE NEW MEXICO MEDICAID PUBLIC
OPTION BUY IN FOR HEALTH CARE

(Note: Eligible for Committee Action October 03, 2018)

Sponsor: Honorable Jonathan L. Hale

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Motion by: Honorable Nathaniel Brown

Seconded by: Honorable Jonathan L. Hale

Vote: 3 in favor; 0 Opposed; Vice-Chairperson Not Voting

Yeas: Nathaniel Brown; Jonathan L. Hale; Nelson BeGaye

Nays: None

Absent (excused): None

Not Voting: Amber Kanazbah Crotty

N-MB

Norman M. Begay, Vice-Chairperson

Health, Education and Human Services Committee

Beverly Martinez

Beverly Martinez, Legislative Advisor

Health, Education and Human Services Committee