



HUMAN SERVICES  
DEPARTMENT

STATE OF NEW MEXICO

**Michelle Lujan Grisham**, Governor

**David R. Scrase, M.D.**, Secretary for Human Services Department

Kari Armijo, Deputy Cabinet Secretary

Angela Medrano, Deputy Cabinet Secretary

Nicole Comeaux, JD, MPH, New Mexico State Medicaid Director

New Mexico Primary Care Council

OPEN MEETINGS RESOLUTION – July 24, 2021

WHEREAS, House Bill 67 (HB67) seeks to increase access to primary care, improve the quality of primary care services, lower the cost of primary care delivery, address the shortage of primary care providers, and overall reduce the health care costs throughout the state.

WHEREAS members of the Council will do this work in collaboration and consultation with HSD; and,

WHEREAS the Primary Care Council is required to follow the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 4); and

WHEREAS Sections 10-15-1(B) of the Open Meetings Act states that, except except as may be otherwise provided for in the New Mexico Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency, any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business, or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS Section 10-15-1(D) of the Open Meetings Act states that any meeting subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation, or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS Section 10-15-1 (D) of the Open Meetings Act requires the Primary Care Council to determine annually what constitutes reasonable notice of its public meetings.

NOW, THEREFORE, BE IT RESOLVED:

The Primary Care Council shall hold its regular meetings on the third Wednesday of the first month of each state fiscal year quarter (July, October, January, and April) at a location that will be determined for each meeting and be named in the public notice for that meeting.

Established meeting dates, times and locations shall be subject to change on the order of the Secretary of the Human Services Department or in the absence of the Secretary, the Board Chairperson.

Not less than 72 hours prior to a Primary Care Council meeting a notice of the meeting shall be posted on the HSD website. The notice shall include the date, time, and location of the meeting and where to obtain an agenda and any meeting materials. The notice shall also contain information on access to the meeting for persons with disabilities.

In compliance with 10-15-1 (D), the Primary Care Council shall publish meeting notices in the local media outlets (e.g., newspaper, television stations) in circulation in the area in which the meeting will take place.

Not less than 72 hours prior to a meeting the final draft agenda shall be posted on the HSD website. Emergency or special meetings shall be called only for matters requiring urgent action.

Notice of an emergency or special meeting shall be announced on the HSD website and shall be published in the local media outlets in circulation in the area in which the meeting will take place as soon as is reasonably feasible to provide as much notice as possible. The Primary Care Council is required to report actions on emergency matters within five (5) business days of acting on an emergency action to the New Mexico Attorney General's Office.

A member of the Primary Care Council may participate in any meeting in-person, by web conference, by teleconference, or other similar communications equipment. A voting member may participate in a meeting pursuant to this paragraph so long as: (1) the individual participating pursuant to this paragraph is identifiable when speaking; (2) all participants are able to hear each other at the same time; and, (3) members of the public attending the meeting are able to hear any individual who speaks during the meeting, and (4) telephonic attendance is requested and approved by the HSD Secretary.

A majority of statutorily appointed Primary Care Council members or their designees shall constitute a quorum. For the adoption of any motion that is in order, a majority vote of statutorily appointed Primary Care Council members or their designees is required. A vote by proxy is prohibited.

The Primary Care Council may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meetings requirement under Section 10-15-1 (H) of the Open Meetings Act. The general nature of any matters discussed in closed meetings shall be recorded with reasonable specificity in the minutes.

Minutes of all meetings shall be prepared within ten (10) business days of the end of the meeting.

Media attendance at Primary Care Council meetings will be subject to the HSD's media policies.

Passed by the Primary Care Council voting members, effective July 24, 2021.

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Secretary David R. Scrase  
New Mexico Human Services Department

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