

AN ACT

RELATING TO PUBLIC ASSISTANCE; EXCLUDING TREATMENT FOSTER CARE PROGRAMS FROM THE MEDICAID MANAGED CARE PROGRAM; AMENDING AND ENACTING SECTIONS OF THE PUBLIC ASSISTANCE ACT; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2-12.6 NMSA 1978 (being Laws 1994, Chapter 62, Section 22) is amended to read:

"27-2-12.6. MEDICAID PAYMENTS--MANAGED CARE.--

A. Except as provided in Subsection D of this section, the department shall provide for a statewide, managed care system to provide cost-efficient, preventive, primary and acute care for medicaid recipients by July 1, 1995.

B. The managed care system shall ensure:

(1) access to medically necessary services, particularly for medicaid recipients with chronic health problems;

(2) to the extent practicable, maintenance of the rural primary care delivery infrastructure;

(3) that the department's approach is consistent with national and state health care reform principles; and

(4) to the maximum extent possible, that

medicaid-eligible individuals are not identified as such except as necessary for billing purposes.

C. The department may exclude nursing homes, intermediate care facilities for the mentally retarded, medicaid in-home and community-based waiver services and residential and community-based mental health services for children with serious emotional disorders from the provisions of this section.

D. The department shall exclude from the provisions of this section treatment foster care for all children eligible for medicaid and determined to be in need of such services."

Section 2. A new section of the Public Assistance Act is enacted to read:

"TREATMENT FOSTER CARE-FEE-FOR-SERVICE REIMBURSEMENT.-- The human services department shall redirect all general fund appropriations and federal funds appropriated or allocated for fiscal years 2000 and 2001 for support of treatment foster care under medicaid managed care to support treatment foster care on a fee-for-service basis, with reimbursement provided after treatment recommendations are authorized by the children, youth and families department's children's review panel."

Section 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately. \_\_\_\_\_

