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HOUSE BILL 868

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Donald E. Bratton

AN ACT

**RELATING TO MEDICAID; PROVIDING THAT APPROPRIATIONS FOR
MEDICAID PAYMENTS SHALL NOT REVERT.**

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

**Section 1. Section 6-5-10 NMSA 1978 (being Laws 1994,
Chapter 11, Section 1) is amended to read:**

**"6-5-10. STATE AGENCY REVERSIONS--DIRECTOR
POWERS--COMPLIANCE WITH FEDERAL RULES AND REGULATIONS. --**

**A. Except as provided in Subsections B and C of
this section, all unreserved undesignated fund balances in
reverting funds and accounts as reflected in the central
financial reporting and accounting system as of June 30, as
adjusted, shall revert to the general fund within ten days of
release of the audit report for that fiscal year.**

B. The director of the financial control division

underscored material = new
[bracketed material] = delete

1 of the department of finance and administration may modify a
2 reversion required pursuant to Subsection A of this section if
3 the reversion would violate federal law, rules or regulations
4 pertaining to supplanting of state funds with federal funds or
5 other applicable federal provisions. For the eighty-third
6 fiscal year, the director of the financial control division
7 may modify a reversion pursuant to this section if the
8 reversion would result in a financial hardship to the state.

9 C. Appropriations to the human services department
10 for medicaid payments shall not revert but may be expended by
11 the department for medicaid payments in subsequent fiscal
12 years. "