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HOUSE BILL 923

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

INTRODUCED BY

Rick Miera

AN ACT

**RELATING TO MEDICAID MANAGED CARE; REQUIRING THAT MENTAL AND
BEHAVIORAL HEALTH SERVICES DEVELOPED UNDER MANAGED CARE
CONTINUE TO BE PROVIDED IF MANAGED CARE ARRANGEMENTS ARE
REVISED; AMENDING A SECTION OF THE NMSA 1978; 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. 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:

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

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

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

9 (4) to the maximum extent possible, that
10 medicaid-eligible individuals are not identified as such
11 except as necessary for billing purposes.

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

18 D. The department shall make available the mental
19 and behavioral health services that were developed under the
20 managed care system, to the extent not prohibited under Title
21 19 or 21 of the federal act, if the mental and behavioral
22 health services are excluded or separated from managed care,
23 administered under a managed care program separate from
24 physical health services or provided under a fee-for-service
25 arrangement. "

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1 Section 2. EMERGENCY.--It is necessary for the public
2 peace, health and safety that this act take effect
3 immediately.

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