

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 418

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

AN ACT

RELATING TO HEALTH; EXPANDING MEDICAID COVERAGE FOR CERTAIN
CUSTODIAL PARENTS; REQUIRING CONSULTATION WITH THE LEGISLATURE;
AMENDING AND ENACTING SECTIONS OF THE NMSA 1978; MAKING AN
APPROPRIATION.

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

Section 1. Section 27-12-3 NMSA 1978 (being Laws 1998,
Chapter 52, Section 3) is amended to read:

"27-12-3. DEFINITIONS. -- As used in the Child Health Act:

A. "child" means a natural person who has not
reached his nineteenth birthday;

B. "custodial parent" means a natural parent,
adoptive parent, stepparent or legal guardian with whom the
child lives;

1 ~~[B.]~~ C. "department" means the human services
2 department;

3 ~~[C.]~~ D. "low-income children and their families"
4 means a family with a dependent child with income at or below
5 the level specified in Section ~~[6 of the Child Health Act]~~
6 27-12-6 NMSA 1978; and

7 ~~[D.]~~ E. "secretary" means the secretary of human
8 services. "

9 Section 2. A new section of the Child Health Act is
10 enacted to read:

11 "[NEW MATERIAL] COVERAGE FOR PARENTS--INCOME DISREGARDS--
12 CONSULTATION WITH THE LEGISLATURE.--

13 A. Subject to the availability of state and federal
14 matching funds pursuant to Title 21 of the federal Social
15 Security Act, a custodial parent of a medicaid-eligible child
16 is eligible for medicaid if the parent's net countable income
17 is below one hundred percent of the federal poverty guidelines.

18
19 B. The department shall, unless as otherwise
20 provided in Subsection C of this section, determine the
21 parent's net countable income by excluding income from exempted
22 sources and disregarded income pursuant to Section 27-2B-7 NMSA
23 1978. Resources shall not be counted in the eligibility
24 determination.
25

1 C. The department, after consultation with the
2 legislature or, when it is not in session, with the legislative
3 finance committee and the legislative health and human services
4 committee, may establish different income disregard standards
5 than those provided for in Subsection B of this section for
6 recipients and applicants if the cost of the expanded coverage
7 for certain custodial parents creates budgetary limitations or
8 pressures.

9 D. The department shall implement the health
10 insurance premium payment program and, to the extent it is cost
11 effective, allow participation for medicaid-eligible persons
12 who have access to employer-based insurance. "

13 Section 3. APPROPRIATION. -- Five million three hundred
14 twenty-two thousand six hundred dollars (\$5,322,600) is
15 appropriated from the tobacco settlement program fund to the
16 human services department for expenditure in fiscal year 2002
17 to match the federal state children's health insurance program
18 funds to expand medicaid coverage to certain custodial parents
19 of medicaid-eligible children. Any unexpended or unencumbered
20 balance remaining at the end of fiscal year 2002 shall revert
21 to the tobacco settlement program fund.