

AN ACT

RELATING TO PUBLIC ASSISTANCE; EXCLUDING COMMUNITY-BASED DEVELOPMENTAL DISABILITY PROGRAMS FROM THE MEDICAID MANAGED CARE PROGRAM; AMENDING A SECTION 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 Subsections C and 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.

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, 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 intermediate care facilities for the mentally retarded, developmental disability in-home and community-based medicaid waiver services, developmental disability early intervention services, developmental disability early intervention case management services and developmental disability services for children and adults funded exclusively from the general fund."

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

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