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HOUSE BILL 291

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY
Patsy Trujillo Knauer

AN ACT

RELATING TO PUBLIC ASSISTANCE; EXCLUDING TREATMENT FOSTER
CARE PROGRAMS FROM THE MEDICAID MANAGED CARE PROGRAM;
AMENDING A SECTION OF THE PUBLIC ASSISTANCE ACT; MAKING AN
APPROPRIATION; 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,

underscored material = new
~~[bracketed material] = delete~~

1 particularly for medicaid recipients with chronic health
2 problems;

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

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

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

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

17 D. The department shall exclude from the
18 provisions of this section treatment foster care for all
19 children eligible for medicaid and determined to be in need
20 of such services, which shall be provided on a fee for
21 service basis."

22 Section 2. APPROPRIATION.--Six million dollars
23 (\$6,000,000) is appropriated from the general fund to the
24 human services department for expenditure in fiscal years
25 2000 and 2001 to contract for treatment foster care services
for medicaid-eligible children to be provided in accordance
with standards established by the children, youth and

underscoring material = new
~~[bracketed material] = delete~~

1 families department for treatment foster care as a child and
2 adolescent mental health service. Any unexpended or
3 unencumbered balance remaining at the end of fiscal year 2001
4 shall revert to the general fund.

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

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