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SENATE BILL 296

44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 200

INTRODUCED BY

Rod Adair

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,
particularly for medicaid recipients with chronic health

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1 problems;

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

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

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

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

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

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

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1 adolescent mental health service. Any unexpended or
2 unencumbered balance remaining at the end of fiscal year 2001
3 shall revert to the general fund.

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

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