

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 268

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Roman M. Maes III

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROVIDING THAT DOCTORS OF  
ORIENTAL MEDICINE BE RECOGNIZED AS PROVIDERS IN THE MEDICAID  
PROGRAM; PROVIDING FOR THE ESTABLISHMENT OF CERTAIN  
REIMBURSEMENT RATES FOR DOCTORS OF ORIENTAL MEDICINE.

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

Section 1. Section 27-2-12.3 NMSA 1978 (being Laws 1987,  
Chapter 269, Section 1, as amended) is amended to read:

"27-2-12.3. MEDICAID REIMBURSEMENT-- EQUAL PAY FOR EQUAL  
PHYSICIANS', DENTISTS', OPTOMETRISTS', PODIATRISTS' AND  
PSYCHOLOGISTS' SERVICES. --

A. The human services department shall establish a  
rate for the reimbursement of physicians, including doctors of  
oriental medicine; dentists; optometrists; podiatrists; and  
psychologists for services rendered to medicaid patients that

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 provides equal reimbursement for the same or similar services  
2 rendered without respect to the date on which such physician,  
3 dentist, optometrist, podiatrist or psychologist entered into  
4 practice in New Mexico, the date on which the physician,  
5 dentist, optometrist, podiatrist or psychologist entered into  
6 an agreement or contract to provide such services or the  
7 location in which such services are to be provided in the  
8 state [~~provided, however, that~~].

9 B. The department shall establish a rate for the  
10 reimbursement for acupuncture services that is commensurate  
11 with the reasonable and customary rate for acupuncture  
12 services charged by doctors of oriental medicine statewide.

13 C. The requirements of this section shall not  
14 apply when the human services department contracts with  
15 entities pursuant to Section 27-2-12.6 NMSA 1978 to negotiate  
16 a rate for the reimbursement for services rendered to medicaid  
17 patients in the medicaid managed care system. "

18 Section 2. A new section of the Public Assistance Act is  
19 enacted to read:

20 "[NEW MATERIAL] DOCTORS OF ORIENTAL MEDICINE. -- The  
21 department shall recognize doctors of oriental medicine,  
22 licensed pursuant to the Acupuncture and Oriental Medicine  
23 Practice Act, as providers in the medicaid managed care system  
24 and other medicaid programs for all services within their  
25 scope of practice pursuant to that act. "

. 139740. 3