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SENATE BILL 371

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Dede Feldman

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO DISABILITIES; ENACTING THE MONEY FOLLOWS THE PERSON
IN NEW MEXICO ACT.

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

Section 1. SHORT TITLE.--This act may be cited as the
"Money Follows the Person in New Mexico Act".

Section 2. DEFINITION.--As used in the Money Follows the
Person in New Mexico Act, "department" means the aging and
long-term services department.

Section 3. COMMUNITY-BASED LIVING--CHOICE OF OPTIONS.--An
elderly or disabled individual who is identified and assessed
as eligible for community-based living shall be allowed to
choose, from among all service options available, the type of
service that best meets that individual's needs. The
individual's medical assistance funds shall be made available

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1 for the individual for the service option the individual
2 selects, not to exceed the cost of the service. The department
3 shall apply for federal approval as necessary to implement this
4 section under existing or future federal legislation.

5 Section 4. INFORMATION.--The department shall identify
6 and provide adequate information to an eligible individual
7 residing in a medicaid long-term care facility and, if
8 appropriate, the individual's representative, of the
9 opportunity for the individual to receive community-based
10 services and support pursuant to the Money Follows the Person
11 in New Mexico Act.

12 Section 5. QUALITY IMPROVEMENT.--The department shall
13 develop and implement a quality improvement system of
14 performance indicators and outcome measures to evaluate the
15 level and effectiveness of participation of individuals who are
16 eligible for community-based services and to ensure that the
17 services and support that an individual receives pursuant to
18 the Money Follows the Person in New Mexico Act are adequate.