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SENATE BILL 354

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

Timothy Z. Jennings

AN ACT

RELATING TO HEALTH INSURANCE; PROVIDING FOR EXPENDITURES OF A  
PRESCRIPTION DRUG PROGRAM; MAKING AN APPROPRIATION.

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

Section 1. Section 61-11-19 NMSA 1978 (being Laws 1969,  
Chapter 29, Section 18, as amended) is amended to read:

"61-11-19. FUND ESTABLISHED--DISPOSITION--METHOD OF  
PAYMENT.--

A. There is established in the state treasury the  
"pharmacy fund".

B. All funds received by the board and all money  
collected under the Pharmacy Act or any other act administered  
by the board shall be deposited with the state treasurer for  
credit to the pharmacy fund.

C. Payments from the pharmacy fund shall be made

underscored material = new  
[bracketed material] = delete

1 upon warrants of the secretary of finance and administration on  
2 vouchers issued in accordance with the budget approved by the  
3 department of finance and administration.

4 D. Amounts paid into the pharmacy fund [~~prior to~~  
5 ~~October 1, 2005~~] pursuant to Paragraph (2) of Subsection C of  
6 Section 61-11-14 NMSA 1978 [~~shall be used~~] are appropriated to  
7 the board for a prescription drug program [~~for persons over the~~  
8 ~~age of sixty-five~~] serving persons pursuant to the Medical  
9 Insurance Pool Act; provided that the board enters into an  
10 arrangement with a state agency or a state-created entity for  
11 the operation of the program.

12 E. All amounts paid into the pharmacy fund shall  
13 only be used for the purpose of meeting necessary expenses  
14 incurred in the enforcement of the purposes of the Pharmacy Act  
15 and any other acts administered by the board, the duties  
16 imposed thereby and the promotion of pharmacy education and  
17 standards in this state. All money unused at the end of the  
18 fiscal year shall remain in the pharmacy fund for use in  
19 accordance with the provisions of the Pharmacy Act.

20 F. All funds that may have accumulated to the  
21 credit of the pharmacy fund shall be continued for use by the  
22 board in administration of the Pharmacy Act."