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SENATE BILL 325

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Stuart Ingle

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROVIDING FOR ANNUAL INCREASES  
IN MEDICAID REIMBURSEMENT RATES; PROVIDING FOR THE  
REIMBURSEMENT RATES TO APPLY TO FEE-FOR-SERVICE AND MANAGED  
CARE PATIENTS.

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, dentists,  
optometrists, podiatrists and psychologists for services  
rendered to medicaid fee-for-service or managed care patients

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1 that provides equal reimbursement for the same or similar  
2 services rendered without respect to the date on which such  
3 physician, dentist, optometrist, podiatrist or psychologist  
4 entered into practice in New Mexico, the date on which the  
5 physician, dentist, optometrist, podiatrist or psychologist  
6 entered into an agreement or contract to provide such services  
7 or the location in which such services are to be provided in  
8 the state [~~provided, however, that, the requirements of this~~  
9 ~~section shall not apply when the human services department~~  
10 ~~contracts with entities pursuant to Section 27-2-12.6 NMSA 1978~~  
11 ~~to negotiate a rate for the reimbursement for services rendered~~  
12 ~~to medicaid patients in the medicaid managed care system~~].

13 B. On July 1, 2010 and on July 1 of each subsequent  
14 year, the human services department shall increase the  
15 reimbursement rate established pursuant to Subsection A of this  
16 section. In determining the annual percentage increase, the  
17 department shall take into consideration factors that affect  
18 the cost of providing services, including increases in medical  
19 liability premiums and office overhead.

20 C. All reimbursements for fee-for-service and  
21 managed care services shall include the gross receipts taxes  
22 paid."

23 Section 2. EFFECTIVE DATE.--The effective date of the  
24 provisions of this act is July 1, 2010.