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SENATE BILL 661

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Linda M Lopez

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; EXCLUDING COMMUNITY-BASED
DEVELOPMENTAL DISABILITY PROGRAMS FROM THE MEDICAID MANAGED
CARE PROGRAM; AMENDING A SECTION OF THE PUBLIC ASSISTANCE ACT;
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 Subsections C and 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,

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 particularly for medicaid recipients with chronic health
2 problems;

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

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

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

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

17 D. The department shall exclude from the provisions
18 of this section intermediate care facilities for the mentally
19 retarded, developmental disability in-home and community-based
20 medicaid waiver services, developmental disability early
21 intervention services, developmental disability early
22 intervention case management services and developmental
23 disability services for children and adults. "

24 Section 2. EMERGENCY.--It is necessary for the public
25 peace, health and safety that this act take effect immediately.