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SENATE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

DISCUSSION DRAFT

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; DIRECTING THE HUMAN SERVICES DEPARTMENT TO OFFER MEDICAL ASSISTANCE COVERAGE TO ELIGIBLE ADULTS REGARDLESS OF DEPENDENT CHILDREN STATUS.

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

SECTION 1. Section 27-2-12 NMSA 1978 (being Laws 1973, Chapter 376, Section 16, as amended) is amended to read:

"27-2-12. MEDICAL ASSISTANCE PROGRAMS.--

A. Consistent with the federal act and subject to the appropriation and availability of federal and state funds, the medical assistance division of the department may by rule provide medical assistance, including the services of licensed doctors of oriental medicine, licensed chiropractic physicians and licensed dental hygienists in collaborating practice, to persons eligible for public assistance programs under the

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1 federal act.

2 B. Subject to appropriation and availability of
3 federal, state or other funds received by the state from public
4 or private grants or donations, the medical assistance division
5 of the department may by rule provide medical assistance,
6 including assistance in the payment of premiums for medical or
7 long-term care insurance, to children up to the age of twelve
8 if not part of a sibling group; children up to the age of
9 eighteen if part of a sibling group that includes a child up to
10 the age of twelve; and pregnant women who are residents of the
11 state of New Mexico and who are ineligible for public
12 assistance under the federal act. The department, in
13 implementing the provisions of this subsection, shall:

14 (1) establish rules that encourage pregnant
15 women to participate in prenatal care; and

16 (2) not provide a benefit package that exceeds
17 the benefit package provided to state employees.

18 C. Subject to appropriation and availability of
19 federal, state or other funds received by the state from public
20 or private grants or donations, the medical assistance division
21 of the department shall provide medical assistance to any adult
22 applicant:

23 (1) on the basis of the department's
24 eligibility categories relating to pregnancy, blindness, breast
25 or cervical cancer, medically needy status or disability, who

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1 is not otherwise eligible for medical assistance, including
2 medicare cost-sharing;

3 (2) regardless of whether the adult has a
4 dependent child in the adult's household;

5 (3) regardless of resources attributable to
6 the adult's household;

7 (4) whose modified adjusted gross household
8 income is less than one hundred thirty-three percent of the
9 federal poverty guidelines; and

10 (5) who otherwise qualifies for medical
11 assistance under the federal act.

12 D. As used in Subsection C of this section, "adult"
13 means an individual who is over eighteen years of age."