1	HOUSE BILL 376
2	51st legislature - STATE OF NEW MEXICO - FIRST SESSION, 2013
3	INTRODUCED BY
4	James Roger Madalena
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10	AN ACT
11	RELATING TO PUBLIC ASSISTANCE; ENACTING A NEW SECTION OF THE
12	PUBLIC ASSISTANCE ACT TO REMOVE NATIVE AMERICANS FROM MANDATORY
13	ENROLLMENT IN MEDICAID MANAGED CARE.
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	SECTION 1. Section 27-2-1 NMSA 1978 (being Laws 1973,
17	Chapter 376, Section 1) is amended to read:
18	"27-2-1. SHORT TITLESections [1 through 20 of this act
19	and Sections 13-1-9, 13-1-10, 13-1-12, 13-1-13, 13-1-17,
20	13-1-18, 13-1-18.1, 13-1-19, 13-1-20, 13-1-20.1, 13-1-21,
21	$\frac{13-1-22}{13-1-27}$, $\frac{13-1-27}{27}$, $\frac{13-1-27}{3}$, $\frac{13-1-27}{4}$, $\frac{13-1-28}{5}$,
22	$\frac{13-1-28.6}{13-1-29}$, $\frac{13-1-30}{13-1-34}$, $\frac{13-1-35}{13-1-37}$,
23	13-1-39, 13-1-40, 13-1-41 and 13-1-42 NMSA 1953] <u>27-2-1 through</u>
24	27-2-34 NMSA 1978 and Section 2 of this 2013 act may be cited
25	as the "Public Assistance Act"."
	.191999.1

underscored material = new
[bracketed material] = delete

SECTION 2. A new section of the Public Assistance Act is
 enacted to read:

"[<u>NEW MATERIAL</u>] MEDICAID MANAGED CARE--NATIVE AMERICAN RECIPIENTS--OPTIONAL ENROLLMENT.--

A. The department shall afford any recipient who self-identifies as a Native American the option of enrolling in a medicaid managed-care program or a medicaid fee-for-service program for medical or behavioral health services. Upon determination of medicaid eligibility, a Native American may choose to enroll in a medicaid managed-care program or a medicaid fee-for-service program.

B. By not enrolling in a medicaid managed-care program, a Native American recipient chooses not to participate in medicaid managed care and shall be covered through a medicaid fee-for-service program.

C. The department shall provide a Native American recipient a monthly opportunity to enroll or disenroll in a medicaid managed-care program or a medicaid fee-for-service program."

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