

AN ACT

RELATING TO HEALTH; EXPANDING COVERAGE FOR CHILDREN WITH CATASTROPHIC, LIFE-THREATENING OR CHRONIC ILLNESSES OR CONDITIONS; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 27-12-6 NMSA 1978 (being Laws 1998, Chapter 52, Section 6) is amended to read:

"27-12-6. PLAN CONTENT--REQUIRED ELEMENTS. --The child health plan and the program of services to be provided by it shall include:

A. appropriate methods of outreach to increase the enrollment of eligible children;

B. provision of health insurance to children living in households at or below two hundred thirty-five percent of the federal poverty level;

C. a program that may consist of those federally approved specialized services included in the child health plan by the secretary, a continuum of prevention and intervention services that may be developed and implemented, including applications for any federal waivers of conditions that are necessary and consisting of at least the following:

(1) implementation of a voluntary home visiting program available statewide for mothers having their children, beginning during pregnancy and extending for two

years, with a frequency of use as indicated by maternal desire and home visiting team recommendations;

(2) provision for home- and community-based early intervention developmental services;

(3) provision for a behavioral health identification, assessment and management system;

(4) provision for school-based health services in the network of health care programs;

(5) provision for the existing healthier kids fund administered by the department of health to enable children to have effective access to health care;

(6) development of ways to increase children's dental services, including such prevention services as periodic examinations, radiographs, prophylactic cleanings, fluoride treatments and sealants; and

(7) development of ways to increase children's vision services, including periodic professional eye examinations and prescription eyewear;

D. expanded coverage for children who suffer from catastrophic, life-threatening or significant chronic illnesses or conditions who have lost eligibility because of age limits under Title 19 or Title 21 of the federal Social Security Act. The expanded coverage, pursuant to a federal waiver that the department shall request, shall continue for the child through age twenty-one or earlier if he becomes

eligible for federal supplemental security income;

E. provision for inhibiting or preventing both employer crowd-out and employee crowd-in;

F. requirements that in the development and implementation of the plan the interests of Native American children are identified and that appropriate provisions for their enrollment are made with recognition that the application process and the delivery of services with respect to those children present special cultural and other considerations;

G. provision for coordination of the administration of the program with other public and private health programs;

H. identification and implementation of methods, including monitoring used to ensure the quality and appropriateness of care, particularly with respect to well baby care, well child care and immunizations provided pursuant to the plan and to ensure access to covered services, including emergency services;

I. methods by which the state will collect data, maintain the records and furnish required reports to the secretary or his designees;

J. specific requirements for and description of the means to be used to ensure that members of the public will be involved in the design and implementation of the plan

and a description of a method to ensure ongoing public involvement; and

K. operation and management of the program by the department in the most fiscally responsible manner, subject to all available legislative appropriations and federal contributions for the program, so that low-income children and their families receive the optimum health care possible. "=====