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RELATING TO TAXATION; PROVIDING A GROSS RECEIPTS TAX DEDUCTION FOR PAYMENTS RECEIVED FOR MEDICAL AND HEALTH SERVICES PROVIDED BY PODIATRISTS OR PROVIDED TO BENEFICIARIES UNDER THE TRICARE PROGRAM.

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

Section 1. Section 7-9-77.1 NMSA 1978 (being Laws 1998, Chapter 96, Section 1, as amended) is amended to read:

"7-9-77.1. DEDUCTION--GROSS RECEIPTS TAX--CERTAIN MEDICAL AND HEALTH CARE SERVICES.--

A. Receipts from payments by the United States government or any agency thereof for provision of medical, other health services by medical doctors and osteopathic physicians and podiatrists or of medical, other health and palliative services by a hospice to medicare beneficiaries pursuant to the provisions of Title 18 of the federal Social Security Act may be deducted from gross receipts.

B. Receipts from payments by a third-party administrator of the federal TRICARE program for provision of medical and other health services by medical doctors and osteopathic physicians to covered beneficiaries may be deducted from gross receipts.

C. For the purposes of this section:

(1) "hospice" means a for-profit entity licensed and certified by the department of health as a hospice;

(2) "medical doctor" means a person licensed as a physician to practice medicine pursuant to the provisions of the Medical Practice Act;

(3) "osteopathic physician" means a person licensed as an osteopathic physician pursuant to the provisions of Chapter 61, Article 10 NMSA 1978;

(4) "podiatrist" means a person licensed as a podiatrist pursuant to the provisions of the Podiatry Act; and

(5) "TRICARE program" means the program defined in 10

1 U.S.C. 1072(7)."

2 Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act  
3 is July 1, 2003.

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