

AN ACT

RELATING TO MEDICAID; DIRECTING THE HUMAN SERVICES DEPARTMENT TO ESTABLISH A WAIVER PROGRAM TO PROVIDE PRESCRIPTION DRUGS FOR CERTAIN SENIORS AND DISABLED PERSONS.

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

Section 1. PRESCRIPTION DRUG WAIVER PROGRAM--PURPOSE--

ELIGIBILITY.--Subject to the availability of state funds and consistent with the federal Social Security Act, the human services department shall create a medicaid waiver program and may by regulation provide prescription drugs to persons whose incomes are less than one hundred eighty-five percent of the federal poverty level and who:

A. are sixty-five years of age or older; or

B. have been determined to be disabled under the criteria established

under the federal social security administration's disability determination rules as applied by the department.