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SENATE BILL 274

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Roman M. Maes

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROVIDING THAT DOCTORS OF
ORIENTAL MEDICINE BE RECOGNIZED AS PROVIDERS IN THE MEDICAID
PROGRAM; PROVIDING FOR THE ESTABLISHMENT OF CERTAIN
REIMBURSEMENT RATES FOR DOCTORS OF ORIENTAL MEDICINE.

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

Section 1. Section 27-2-12.3 NMSA 1978 (being Laws 1987,
Chapter 269, Section 1, as amended) is amended to read:

"27-2-12.3. MEDICAID REIMBURSEMENT--EQUAL PAY FOR EQUAL
PHYSICIANS', DENTISTS', OPTOMETRISTS', PODIATRISTS' AND
PSYCHOLOGISTS' SERVICES. --

A. The [~~human services~~] department shall establish
a rate for the reimbursement of physicians, including doctors
of oriental medicine, dentists, optometrists, podiatrists and
psychologists for services rendered to medicaid patients that

underscored material = new
[bracketed material] = delete

1 provides equal reimbursement for the same or similar services
2 rendered without respect to the date on which such physician,
3 dentist, optometrist, podiatrist or psychologist entered into
4 practice in New Mexico, the date on which the physician,
5 dentist, optometrist, podiatrist or psychologist entered into
6 an agreement or contract to provide ~~[such]~~ the services or the
7 location in which ~~[such]~~ the services are to be provided in the
8 state ~~[provided, however, that]~~.

9 B. The department shall establish a rate for the
10 reimbursement for acupuncture services that is commensurate
11 with the reasonable and customary rate for acupuncture services
12 charged by doctors of oriental medicine statewide.

13 C. The requirements of this section shall not apply
14 when the ~~[human services]~~ department contracts with entities
15 pursuant to Section 27-2-12.6 NMSA 1978 to negotiate a rate for
16 the reimbursement for services rendered to medicaid patients in
17 the medicaid managed care system."

18 Section 2. A new section of the Public Assistance Act is
19 enacted to read:

20 "[NEW MATERIAL] DOCTORS OF ORIENTAL MEDICINE. -- The
21 department shall recognize doctors of oriental medicine,
22 licensed pursuant to the Acupuncture and Oriental Medicine
23 Practice Act, as providers in the medicaid managed care system
24 and other medicaid programs for all services within their scope
25 of practice pursuant to that act."