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**HOUSE BILL 58**

**46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004**

**INTRODUCED BY**

**Gail C. Beam**

**FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE**

**AN ACT**

**RELATING TO MEDICAID; AUTHORIZING THE CREATION OF A MEDICAID  
WAIVER PROGRAM TO SUPPORT INDIVIDUALS WITH BRAIN INJURIES;  
MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.**

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

**Section 1. A new section of the Public Assistance Act is  
enacted to read:**

**"[NEW MATERIAL] BRAIN INJURY--WAIVER PROGRAM AUTHORIZED. --  
Subject to the availability of state funds and consistent with  
the federal Social Security Act, the department shall create a  
medicaid waiver program to provide services for persons with  
brain injuries, including long-term disability services, with  
an emphasis on home- and community-based services."**

**Section 2. APPROPRIATION.--Two million dollars  
(\$2,000,000) is appropriated from the general fund to the**

1 department of health for expenditure in fiscal years 2004 and  
2 2005 for the purpose of establishing and funding a brain injury  
3 medicaid waiver program in cooperation with the human services  
4 department. Any unexpended or unencumbered balance remaining  
5 at the end of fiscal year 2005 shall revert to the general  
6 fund.

7 Section 3. EMERGENCY.--It is necessary for the public  
8 peace, health and safety that this act take effect immediately.

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