

HOUSE BILL 451

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Gail Armstrong

AN ACT

RELATING TO HEALTH; AMENDING THE PUBLIC ASSISTANCE ACT TO ENSURE THAT REIMBURSEMENT RATES FOR COMMUNITY-BASED PHARMACY PROVIDERS COVER THE COST OF INGREDIENTS AND PROFESSIONAL DISPENSING FEES FOR COVERED OUTPATIENT DRUGS IN ALL MEDICAID PROGRAMS.

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

SECTION 1. Section 27-2-12 NMSA 1978 (being Laws 1973, Chapter 376, Section 16, as amended) is amended to read:

"27-2-12. MEDICAL ASSISTANCE PROGRAMS.--

A. Consistent with the federal act and subject to the appropriation and availability of federal and state funds, the medical assistance division of the department may by rule provide medical assistance, including the services of licensed doctors of oriental medicine, licensed chiropractic physicians,

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1 licensed dental therapists and licensed dental hygienists in
2 collaborating practice, to persons eligible for public
3 assistance programs under the federal act.

4 B. Consistent with the federal act and subject to
5 the appropriation and availability of federal and state funds,
6 the department shall take such action as may be required to
7 ensure that community-based pharmacy providers are fully
8 reimbursed for the ingredient cost and professional dispensing
9 fee for covered outpatient drugs in all medicaid programs. The
10 department shall identify and update, at least annually, a list
11 of community-based pharmacy providers.

12 [~~B.~~] C. Subject to appropriation and availability
13 of federal, state or other funds received by the state from
14 public or private grants or donations, the medical assistance
15 division of the department may by rule provide medical
16 assistance, including assistance in the payment of premiums for
17 medical or long-term care insurance, to children up to the age
18 of twelve if not part of a sibling group; children up to the
19 age of eighteen if part of a sibling group that includes a
20 child up to the age of twelve; and pregnant women who are
21 residents of the state of New Mexico and who are ineligible for
22 public assistance under the federal act. The department, in
23 implementing the provisions of this subsection, shall:

24 (1) establish rules that encourage pregnant
25 women to participate in prenatal care; and

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(2) not provide a benefit package that exceeds
the benefit package provided to state employees."