

HOUSE BILL 269

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO HEALTH CARE; REQUIRING THE HEALTH CARE AUTHORITY TO IMPLEMENT AN OPEN ELECTRONIC VISIT VERIFICATION SYSTEM THAT IS COMPLIANT WITH FEDERAL LAW HHC →; ~~DECLARING AN EMERGENCY~~ ← HHC

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

SECTION 1. A new section of the Health Care Code is enacted to read:

.229025.3AIC February 17, 2025 (4:24pm)

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"[NEW MATERIAL] OPEN ELECTRONIC VISIT VERIFICATION

SYSTEM.--

A. For the purposes of this section:

(1) "aggregator system" means a centralized, state-approved system designed to collect and store electronic visit verification data from various service providers that is compatible with each provider's chosen electronic visit verification system;

(2) "electronic visit verification system" means a system that verifies the provision of personal care and home health services and includes, at a minimum, the following information as required under the federal 21st Century Cures Act:

- (a) the type of service performed;
- (b) the person receiving the service;
- (c) the date of the service;
- (d) the location of service delivery;
- (e) the person providing the service;

and

- (f) the time the service begins and

ends;

(3) "medicaid recipient" means a person whom the authority has determined to be eligible to receive medicaid-related services in the state; and

- (4) "provider" means a person or any legal or

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commercial entity licensed or certified to provide home health care or personal care services to medicaid recipients.

B. The authority shall adopt an open electronic visit verification system that:

(1) allows providers to choose to use any electronic visit verification system that meets the requirements of the federal 21st Century Cures Act; and

(2) uses a centralized aggregator system to collect and report electronic visit verification data from all provider systems for submission to the federal centers for medicare and medicaid services. The aggregator system shall be:

(a) interoperable with all electronic visit verification systems used by providers in the state; and

(b) capable of collecting and storing all data required by the federal 21st Century Cures Act.

C. To implement the provisions of this section, the authority shall:

(1) adopt an aggregator system that is in compliance with state and federal law;

(2) provide guidance to providers on acceptable electronic visit verification systems and how to interface with the aggregator system; and

(3) adopt rules necessary for administration of this section, including:

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- (a) specific standards for the aggregator system;
- (b) procedures for ongoing monitoring, auditing and reporting of electronic visit verification data to ensure compliance with federal law;
- (c) data privacy protections; and
- (d) requirements for providers."

HHHC→~~SECTION 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.~~←HHHC

HHHC→SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2026.←HHHC