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AN ACT

RELATING TO PUBLIC ASSISTANCE; PROHIBITING THE INCLUSION OF
HEALTH CARE PROVIDER GROSS RECEIPTS TAXES IN A MI VIA WAIVER
PROGRAM PARTICIPANT'S BUDGET.

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

SECTION 1. MI VIA WAIVER PROGRAM--GROSS RECEIPTS
TAXES.--

A. The health care authority shall promulgate
rules to ensure that gross receipts taxes are not used to
calculate the individual budgetary allotments for individuals
participating in the mi via waiver program. A health care
provider's costs for gross receipts taxes shall be billed and
reimbursed as a separate line item that is in addition to a
participant's individual budgetary allotment.

B. For the purposes of this section:

(1) "individual budgetary allotment" means
the total approved annual budget assigned to a mi via waiver
program participant for services, supports and goods; and

(2) "mi via waiver program" means the
state's self-directed medicaid home- and community-based
services waiver program.