

AN ACT

RELATING TO PUBLIC ASSISTANCE; ALLOWING NATIVE AMERICANS TO  
ELECT ENROLLMENT IN MEDICAID MANAGED CARE COVERAGE.

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

Section 1. Section 27-2-12.6 NMSA 1978 (being Laws  
1994, Chapter 62, Section 22) is amended to read:

"27-2-12.6. MEDICAID PAYMENTS--MANAGED CARE.--

A. The department shall provide for a statewide  
managed care system to provide cost-efficient, preventive,  
primary and acute care for medicaid recipients by July 1,  
1995.

B. The managed care system shall ensure:

(1) access to medically necessary services,  
particularly for medicaid recipients with chronic health  
problems;

(2) to the extent practicable, maintenance  
of the rural primary care delivery infrastructure;

(3) that the department's approach is  
consistent with national and state health care reform  
principles; and

(4) to the maximum extent possible, that  
medicaid-eligible individuals are not identified as such  
except as necessary for billing purposes.

C. The department may exclude nursing homes,

intermediate care facilities for the mentally retarded, medicaid in-home and community-based waiver services and residential and community-based mental health services for children with serious emotional disorders from the provisions of this section.

D. Any Native American medicaid-eligible individual residing in New Mexico:

(1) shall be excluded by the department from automatic enrollment in a managed care organization contracting with the state to provide health care services to medicaid-eligible individuals, unless that individual elects to enroll in a medicaid managed care organization, including a future managed care organization that would be created specifically to serve Native Americans; and

(2) may choose to terminate his enrollment in a managed care organization at any time by notifying his managed care organization that he is a Native American and chooses to discontinue his enrollment in that managed care organization. Rules limiting the time period when an enrolled individual can opt out of the managed care organization shall not apply to people who are Native American." \_\_\_\_\_