

AN ACT

RELATING TO MEDICAID; PROVIDING THAT APPROPRIATIONS FOR MEDICAID PAYMENTS MAY BE EXPENDED FOR OBLIGATIONS FOR PRIOR FISCAL YEARS.

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

Section 1. Section 6-5-10 NMSA 1978 (being Laws 1994, Chapter 11, Section 1) is amended to read:

"6-5-10. STATE AGENCY REVERSIONS--DIRECTOR POWERS-- COMPLIANCE WITH FEDERAL RULES AND REGULATIONS.--

A. Except as provided in Subsections B and C of this section, all unreserved undesignated fund balances in reverting funds and accounts as reflected in the central financial reporting and accounting system as of June 30, as adjusted, shall revert to the general fund within ten days of release of the audit report for that fiscal year.

B. The director of the financial control division of the department of finance and administration may modify a reversion required pursuant to Subsection A of this section if the reversion would violate federal law, rules or regulations pertaining to supplanting of state funds with federal funds or other applicable federal provisions.

C. Appropriations to the human services department for medicaid payments may be expended by the department for medicaid obligations for prior fiscal years. "

