

A JOINT MEMORIAL

REQUESTING THE HUMAN SERVICES DEPARTMENT'S MEDICAL ASSISTANCE DIVISION TO AUTHORIZE AND MAKE DIRECT PAYMENTS TO SCHOOL DISTRICTS OF OUTSTANDING ADMINISTRATIVE TIME-STUDY CLAIMS AS AUTHORIZED BY THE JANUARY 1997 "MEDICAID REIMBURSEMENT FOR SCHOOL-LINKED SERVICES – A GUIDE FOR LOCAL EDUCATION AGENCIES" ("BROWN GUIDE") FOR SCHOOL DISTRICT PARTICIPATION IN THE "MEDICAID IN THE SCHOOLS" PROGRAM

WHEREAS, the New Mexico public schools have entered into a joint powers agreement with the human services department's medical assistance division and the state department of public education to participate in the medicaid in the schools program; and

WHEREAS, the participating school districts are allowed to seek reimbursement for administrative activities performed by identified school district staff; and

WHEREAS, the joint powers agreement, signed by the identified parties, provides that payments made to school districts are subject to federal review and that the responsibility for repayment of unsubstantiated claims will be the burden of the participating school district; and

WHEREAS, administrative payments to participating school districts have been withheld or partially paid by the human services department's medical assistance division for

the second, third and fourth quarters of fiscal year 2000 and the first and second quarters of fiscal year 2001;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the human services department's medical assistance division be hereby requested to make payments to participating school districts as original school district administrative claims indicate and to comply with the provisions of the joint powers agreement as it applies to participating school districts; and

BE IT FURTHER RESOLVED that the human services department's medical assistance division be hereby requested to expeditiously make payments prior to the end of the participating school district's current budget calendar; and

BE IT FURTHER RESOLVED that representatives of the human services department's medical assistance division, participating school districts, the state department of public education and the health care financing authority enter into mediation and develop a clearly written interpretation of the "Brown Guide" and a jointly developed training process for participating school district staff to be completed before the end of the fourth quarter of fiscal year 2001; and

BE IT FURTHER RESOLVED that the human services department's medical assistance division and the state department of public education submit a joint report to the legislative finance committee and legislative education

study committee that can be reviewed and acted upon during the second session of the forty-fifth legislature; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the medical assistance division of the human services department, the state department of public education and the health care financing authority. _____
