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HOUSE BILL 266

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROVIDING THAT DOCTORS OF ORIENTAL MEDICINE BE RECOGNIZED AS PROVIDERS IN THE MEDICAID PROGRAM; PROVIDING FOR THE ESTABLISHMENT OF CERTAIN REIMBURSEMENT RATES FOR DOCTORS OF ORIENTAL MEDICINE.

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

Section 1. Section 27-2-12.3 NMSA 1978 (being Laws 1987, Chapter 269, Section 1, as amended) is amended to read:

"27-2-12.3. MEDICAID REIMBURSEMENT--EQUAL PAY FOR EQUAL PHYSICIANS', DENTISTS', OPTOMETRISTS', PODIATRISTS' AND PSYCHOLOGISTS' SERVICES. --

A. The ~~[human services]~~ department shall establish a rate for the reimbursement of physicians, including doctors of oriental medicine, dentists, optometrists, podiatrists and psychologists for services rendered to medicaid patients that

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1 provides equal reimbursement for the same or similar services  
2 rendered without respect to the date on which such physician,  
3 dentist, optometrist, podiatrist or psychologist entered into  
4 practice in New Mexico, the date on which the physician,  
5 dentist, optometrist, podiatrist or psychologist entered into  
6 an agreement or contract to provide ~~[such]~~ the services or the  
7 location in which ~~[such]~~ the services are to be provided in the  
8 state ~~[provided, however, that]~~.

9 B. The department shall establish a rate for the  
10 reimbursement for acupuncture services that is commensurate  
11 with the reasonable and customary rate for acupuncture services  
12 charged by doctors of oriental medicine statewide.

13 C. The requirements of this section shall not apply  
14 when the ~~[human services]~~ department contracts with entities  
15 pursuant to Section 27-2-12.6 NMSA 1978 to negotiate a rate for  
16 the reimbursement for services rendered to medicaid patients in  
17 the medicaid managed care system."

18 Section 2. A new section of the Public Assistance Act is  
19 enacted to read:

20 "[NEW MATERIAL] DOCTORS OF ORIENTAL MEDICINE. -- The  
21 department shall recognize doctors of oriental medicine,  
22 licensed pursuant to the Acupuncture and Oriental Medicine  
23 Practice Act, as providers in the medicaid managed care system  
24 and other medicaid programs for all services within their scope  
25 of practice pursuant to that act."