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SENATE BILL 391

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

INTRODUCED BY

Dede Feldman

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO MEDICAID; DIRECTING THE HUMAN SERVICES DEPARTMENT  
TO ESTABLISH A WAIVER PROGRAM TO PROVIDE PRESCRIPTION DRUGS FOR  
CERTAIN SENIORS AND DISABLED PERSONS; MAKING AN APPROPRIATION;  
DECLARING AN EMERGENCY.

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

Section 1. ~~PRESCRIPTION DRUG WAIVER PROGRAM - PURPOSE -~~  
~~ELIGIBILITY.~~ -- Subject to the availability of state funds and  
consistent with the federal Social Security Act, the human  
services department shall create a medicaid waiver program and  
may by regulation provide prescription drugs to persons whose  
incomes are less than one hundred eighty-five percent of the  
federal poverty level and who:

- A. are sixty-five years of age or older; or
- B. have been determined to be disabled under the

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1 criteria established under the federal social security  
2 administration's disability determination rules as applied by  
3 the department.

4 Section 2. APPROPRIATION. -- One hundred fifty thousand  
5 dollars (\$150,000) is appropriated from the general fund to the  
6 human services department for expenditure in fiscal years 2003  
7 and 2004 for the purpose of establishing a program to provide  
8 prescription drugs to certain seniors and disabled persons, by  
9 applying to the federal centers for medicare and medicaid  
10 services for a Title 19 waiver of the state's medicaid program.  
11 The department shall include, to the extent practicable, cost-  
12 sharing provisions so as to minimize state general fund  
13 expenditures. This appropriation includes funds for  
14 application, start-up and outreach efforts. Any unexpended or  
15 unencumbered balance remaining at the end of fiscal year 2004  
16 shall revert to the general fund.

17 Section 3. EMERGENCY. -- It is necessary for the public  
18 peace, health and safety that this act take effect immediately.