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SENATE BILL 757

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

INTRODUCED BY

Manny M. Aragon

AN ACT

RELATING TO PUBLIC ASSISTANCE; ELIMINATING A LIMITATION ON
MEDICAID PROGRAM REIMBURSEMENT FOR DRUG PRODUCT SELECTION.

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

Section 1. Section 27-2-16 NMSA 1978 (being Laws 1974,
Chapter 31, Section 1, as amended) is amended to read:

"27-2-16. COMPLIANCE WITH FEDERAL LAW. -- [A.] Subject to
the availability of state funds, the human services department
may provide assistance to aged, blind or disabled individuals
in the amounts consistent with federal law to enable the state
to be eligible for medicaid funding. Individuals shall be
determined to be aged, blind or disabled according to
regulations of the human services department.

[B. ~~If drug product selection is permitted by
Section 26-3-3 NMSA 1978, reimbursement by the medicaid program~~

underscored material = new
[bracketed material] = delete

1 ~~shall be limited to the wholesale cost of the lesser expensive~~
2 ~~therapeutic equivalent drug generally available in New Mexico~~
3 ~~plus a reasonable dispensing fee of at least three dollars~~
4 ~~sixty five cents (\$3.65).]~~"