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HOUSE BILL 559

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Dani ce Pi craux

AN ACT

RELATING TO HEALTH CARE; PROVIDING FOR HOME AND COMMUNITY-BASED SERVICES AND HOSPICE SERVICES TO BE PROVIDED CONCURRENTLY; AMENDING A SECTION OF THE PUBLIC ASSISTANCE ACT.

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

Section 1. A new section of the Public Assistance Act is enacted to read:

"[NEW MATERIAL] HOME AND COMMUNITY-BASED SERVICES AND HOSPICE SERVICES PROVIDED CONCURRENTLY. --

A. A medicaid recipient eligible for home and community-based services and hospice services may receive the services concurrently. A medicaid recipient receiving home and community-based services, including services pursuant to the developmentally disabled waiver program, the disabled and elderly waiver program, the HIV/AIDS waiver program, the

underscoring material = new
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1 medically fragile waiver program and the personal care option
2 program shall not be denied hospice services on the basis that
3 the recipient receives home and community-based services.

4 B. If a medicaid recipient receives home and
5 community-based services and hospice services concurrently, the
6 hospice care program providing the hospice services is
7 responsible for assessing, planning, monitoring, directing and
8 evaluating the recipient's care that relates to the recipient's
9 terminal illness and shall maintain communications with the
10 case manager of the home and community-based services, or with
11 the case manager's designee, to ensure that the recipient
12 receives appropriate care. The hospice care program and case
13 manager shall develop a coordinated plan of care regarding the
14 medicaid recipient's terminal illness. "

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