

AN ACT

RELATING TO DISABILITIES; ENACTING THE MONEY FOLLOWS THE  
PERSON IN NEW MEXICO ACT.

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

Section 1. SHORT TITLE.--This act may be cited as the  
"Money Follows the Person in New Mexico Act".

Section 2. DEFINITION.--As used in the Money Follows  
the Person in New Mexico Act, "department" means the aging and  
long-term services department.

Section 3. COMMUNITY-BASED LIVING--CHOICE OF OPTIONS.--  
An elderly or disabled individual who is identified and  
assessed as eligible for community-based living shall be  
allowed to choose, from among all service options available,  
the type of service that best meets that individual's needs.  
The individual's medical assistance funds shall be made  
available for the individual for the service option the  
individual selects, not to exceed the cost of the service.  
The department shall apply for federal approval as necessary,  
and upon federal approval, implement this section under  
existing or future federal legislation.

Section 4. INFORMATION.--The department shall identify  
and provide adequate information to a medicaid-eligible  
individual residing in a nursing home and, if appropriate, the  
individual's representative, of the opportunity for the

individual to receive community-based services and support pursuant to the Money Follows the Person in New Mexico Act.

Section 5. QUALITY IMPROVEMENT.--The department shall develop and implement a quality improvement system of performance indicators and outcome measures to evaluate the level and effectiveness of participation of individuals who are eligible for community-based services and to ensure that the services and support that an individual receives pursuant to the Money Follows the Person in New Mexico Act are adequate.

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