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SENATE BILL 83

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Gerald Ortiz y Pino

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING A SECTION OF THE PUBLIC ASSISTANCE ACT TO REMOVE BEHAVIORAL HEALTH SERVICES FROM THOSE SERVICES THAT THE HUMAN SERVICES DEPARTMENT PROVIDES TO MEDICAID RECIPIENTS THROUGH MANAGED CARE.

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

**SECTION 1.** Section 27-2-12.6 NMSA 1978 (being Laws 1994, Chapter 62, Section 22) is amended to read:

"27-2-12.6. MEDICAID PAYMENTS--MANAGED CARE.--

A. The department shall provide for a statewide, managed care system to provide cost-efficient, preventive, primary and acute care for medicaid recipients [~~by July 1, 1995~~].

B. The managed care system shall ensure:

(1) access to medically necessary services,

underscored material = new  
[bracketed material] = delete

1 particularly for medicaid recipients with chronic health  
2 problems;

3 (2) to the extent practicable, maintenance of  
4 the rural primary care delivery infrastructure;

5 (3) that the department's approach is  
6 consistent with national and state health care reform  
7 principles; and

8 (4) to the maximum extent possible, that  
9 medicaid-eligible individuals are not identified as such except  
10 as necessary for billing purposes.

11 C. The department shall exclude behavioral health  
12 services from any services that it provides to medicaid  
13 recipients through a managed care system.

14 [~~G.~~] D. The department may exclude nursing homes,  
15 intermediate care facilities for the mentally retarded,  
16 medicaid in-home and community-based waiver services and  
17 residential and community-based mental health services for  
18 children with serious emotional disorders from the provisions  
19 of this section.

20 E. As used in this section, "behavioral health  
21 service" means a professional or ancillary service for the  
22 treatment, habilitation, prevention and identification of  
23 mental illness, behavioral symptoms associated with  
24 developmental disability, a substance abuse disorder or trauma  
25 spectrum disorders."

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