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SENATE BILL 1118

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

BEN D. ALTAMIRANO

AN ACT

RELATING TO TAXATION; ELIMINATING THE TRANSFER OF BALANCES FROM  
THE COUNTY INDIGENT HOSPITAL CLAIMS FUND TO THE COUNTY-SUPPORTED  
MEDICAID FUND; AMENDING CERTAIN SECTIONS OF THE NMSA 1978.

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

Section 1. Section 27-5-2 NMSA 1978 (being Laws 1965,  
Chapter 234, Section 2, as amended) is amended to read:

"27-5-2. PURPOSE OF INDIGENT HOSPITAL AND COUNTY HEALTH  
CARE ACT. --The purpose of the Indigent Hospital and County  
Health Care Act is:

A. to recognize that the individual county of this  
state is the responsible agency for ambulance transportation or  
the hospital care or the provision of the health care, to  
indigent patients domiciled in that county, for at least three  
months or for such period of time, not in excess of three

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1 months, as determined by resolution of the board of county  
2 commissioners, and to provide a means whereby each county can  
3 discharge this responsibility through a system of financial  
4 reimbursement to ambulance providers, hospitals or health care  
5 providers for actual cost incurred for the care and treatment of  
6 the indigent patient in the hospitals of this state, or [~~both~~]  
7 all three; and

8 B. to recognize that the counties of the state are  
9 also responsible for supporting indigent patients by providing  
10 local revenues to match federal funds for the state medicaid  
11 program, including the provision of matching funds for payments  
12 to sole community provider hospitals [~~and the transfer of funds~~  
13 ~~to the county-supported medicaid fund pursuant to the Statewide~~  
14 ~~Health Care Act~~]. "

15 Section 2. Section 27-5-7 NMSA 1978 (being Laws 1965,  
16 Chapter 234, Section 7, as amended) is amended to read:

17 "27-5-7. COUNTY INDIGENT HOSPITAL CLAIMS FUND. --

18 A. There is created in the county treasury of each  
19 county a "county indigent hospital claims fund".

20 B. Collections under the levy made pursuant to the  
21 Indigent Hospital and County Health Care Act and all payments  
22 shall be placed into the fund, and the amount placed in the fund  
23 shall be budgeted and expended only for the purposes specified  
24 in the Indigent Hospital and County Health Care Act, by warrant  
25 upon vouchers approved by a majority of the board and signed by

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1 the chairman of the board. Payments for indigent  
2 hospitalizations shall not be made from any other county fund.

3 C. The fund shall be audited in the manner that  
4 other state and county funds are audited, and all records of  
5 payments and verified statements of qualification upon which  
6 payments were made from the fund shall be open to the public.

7 D. Any balance remaining in the fund at the end of  
8 the fiscal year [~~pursuant to Subsection F of this section~~] shall  
9 carry over into the ensuing year, and that balance shall be  
10 taken into consideration in the determination of the ensuing  
11 year's budget and certification of need for purposes of making a  
12 tax levy.

13 E. Money may be transferred to the fund from other  
14 sources, but no transfers may be made from the fund for any  
15 purpose other than those specified in the Indigent Hospital and  
16 County Health Care Act.

17 [~~F. On June 30 of each fiscal year, beginning in~~  
18 ~~1998, the board shall transfer to the county-supported medicaid~~  
19 ~~fund that amount of the balance in the county indigent hospital~~  
20 ~~claims fund that exceeds two hundred thousand dollars (\$200,000)~~  
21 ~~or that exceeds the amount equal to thirty percent of the income~~  
22 ~~to the fund during that fiscal year, whichever is greater.~~  
23 ~~Beginning in 1998, the transfer shall be made by September 1 of~~  
24 ~~each fiscal year. Any amount transferred to the county-~~  
25 ~~supported medicaid fund pursuant to this subsection is in~~

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1 ~~addition to the county's obligation pursuant to Section 27-10-4~~  
2 ~~NMSA 1978.]"~~

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