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HOUSE BILL 269

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY  
Gail Armstrong

AN ACT

RELATING TO HEALTH CARE; REQUIRING THE HEALTH CARE AUTHORITY TO  
IMPLEMENT AN OPEN ELECTRONIC VISIT VERIFICATION SYSTEM THAT IS  
COMPLIANT WITH FEDERAL LAW; DECLARING AN EMERGENCY.

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

SECTION 1. A new section of the Health Care Code is  
enacted to read:

"[NEW MATERIAL] OPEN ELECTRONIC VISIT VERIFICATION  
SYSTEM.--

A. For the purposes of this section:

(1) "aggregator system" means a centralized,  
state-approved system designed to collect and store electronic  
visit verification data from various service providers that is  
compatible with each provider's chosen electronic visit  
verification system;

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1                   (2) "electronic visit verification system"  
2 means a system that verifies the provision of personal care and  
3 home health services and includes, at a minimum, the following  
4 information as required under the federal 21st Century Cures  
5 Act:

- 6                               (a) the type of service performed;
- 7                               (b) the person receiving the service;
- 8                               (c) the date of the service;
- 9                               (d) the location of service delivery;
- 10                              (e) the person providing the service;

11 and

- 12                              (f) the time the service begins and
- 13 ends;

14                   (3) "medicaid recipient" means a person whom  
15 the authority has determined to be eligible to receive  
16 medicaid-related services in the state; and

17                   (4) "provider" means a person or any legal or  
18 commercial entity licensed or certified to provide home health  
19 care or personal care services to medicaid recipients.

20                   B. The authority shall adopt an open electronic  
21 visit verification system that:

- 22                              (1) allows providers to choose to use any
- 23 electronic visit verification system that meets the
- 24 requirements of the federal 21st Century Cures Act; and

- 25                              (2) uses a centralized aggregator system to

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1 collect and report electronic visit verification data from all  
2 provider systems for submission to the federal centers for  
3 medicare and medicaid services. The aggregator system shall  
4 be:

5 (a) interoperable with all electronic  
6 visit verification systems used by providers in the state; and

7 (b) capable of collecting and storing  
8 all data required by the federal 21st Century Cures Act.

9 C. To implement the provisions of this section, the  
10 authority shall:

11 (1) adopt an aggregator system that is in  
12 compliance with state and federal law;

13 (2) provide guidance to providers on  
14 acceptable electronic visit verification systems and how to  
15 interface with the aggregator system; and

16 (3) adopt rules necessary for administration  
17 of this section, including:

18 (a) specific standards for the  
19 aggregator system;

20 (b) procedures for ongoing monitoring,  
21 auditing and reporting of electronic visit verification data to  
22 ensure compliance with federal law;

23 (c) data privacy protections; and

24 (d) requirements for providers."

25 SECTION 2. EMERGENCY.--It is necessary for the public

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1 peace, health and safety that this act take effect immediately.

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