

## ORDINANCE NO. 0-02-42

## AN ORDINANCE DETERMINING THE TYPES OF HEALTH CARE PROVIDERS THAT WILL BE ELIGIBLE TO SUBMIT CLAIMS UNDER THE INDIGENT HOSPITAL AND COUNTY HEALTH CARE ACT.

WHEREAS, the Indigent Hospital and County Health Care Act, Section 27-5-1, et seq., N.M.S.A. 1978 Comp. as amended, passed by the New Mexico Legislature, recognizes the responsibility of the individual county of this state as the responsible agency for providing ambulance transportation or the hospital care or the provision of health care to "indigent patients" through a system of payment, pursuant to the provisions of the Act; and

WHEREAS the Indigent Hospital and County Health Care Act, separately from "hospital" and "ambulance providers" defines, in Section 27-5-4 N , various "health care providers" Counties may determine to be eligible to submit claims under the Act and regulations as may be established by the respective counties; and

WHEREAS, pursuant to Section 27-5-6 L, N.M.S.A. 1978 Comp. as amended, the County Indigent Hospital and County Health Care Act Board shall, by County ordinance, determine the type of "health care providers" that will be eligible to submit claims under the Indigent Hospital and County Health Care Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF EDDY, STATE OF NEW MEXICO, and the BOARD OF COUNTY COMMISSIONERS, COUNTY OF EDDY, STATE OF NEW MEXICO, CONSTITUTING THE INDIGENT HOSPITAL AND COUNTY HEALTH CARE BOARD that:

**SECTION I. ELIGIBLE HEALTH CARE PROVIDERS.** The following "health care providers" as defined in Section 27-5-4N, N.M.S.A.1978 Comp. as amended, be and, hereby, are

authorized to submit claims under the Indigent Hospital and County Health Care Act and the rules and regulations presently in force or hereafter adopted by the County of Eddy:

- (A) A community based health program operated by a political subdivision of the state or other nonprofit health organization that provides primary care delivered by New Mexico licensed, certified or registered health care practitioners.
- (B) A licensed medical doctor, podiatrist, osteopathic physician, dentist, optometrist or expanded practice nurse when providing services in a hospital or outpatient setting that are necessary for conditions that endanger the life or threatens permanent disability to an indigent patient.
- (C) A community based health program operated by a political subdivision of the state or other nonprofit health organization that provides prenatal care delivered by New Mexico licensed, certified or registered health care practitioners.

**SECTION II. HEALTHCARE SERVICES ELIGIBLE TO BE SUBMITTED BY HEALTH CARE PROVIDERS.** The Indigent Hospital and County Health Care Act Board shall determine, by resolution, all treatment and services eligible by the above "health care providers" to be submitted as a claim to the Eddy County Indigent Hospital and County Health Care Act Board, **PROVIDED**, all such claims shall be subject to all applicable, duly adopted, Eddy County and State of New Mexico Rules and Regulations presently in force or as may be hereafter adopted.

**SECTION III. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion(s) of this ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND ADOPTED this 3rd day of December 2002.

EDDY COUNTY, NEW MEXICO  
BOARD OF COUNTY COMMISSIONERS

By Laurie Kincaid  
Laurie Kincaid, Chairman

ATTEST:

Jean Blenden  
Jean Blenden  
County Clerk



EDDY COUNTY, NEW MEXICO  
INDIGENT HOSPITAL AND  
COUNTY HEALTH CARE BOARD

By Laurie Kincaid  
Laurie Kincaid, Chairman

ATTEST:

Jean Blenden  
Jean Blenden  
County Clerk

