

COPY

## TITLE AND GENERAL SUMMARY

### ROOSEVELT COUNTY

#### ORDINANCE #94-1

AN ORDINANCE RELATING TO THE TYPES OF HEALTH CARE PROVIDERS THAT WILL BE ELIGIBLE TO SUBMIT CLAIMS UNDER THE INDIGENT HOSPITAL AND COUNTY HEALTH CARE ACT FOR PAYMENT FROM THE ROOSEVELT COUNTY INDIGENT HOSPITAL CLAIMS FUND

1. Recitals
2. Adoption of Ordinance
  - A. Definitions
  - B. Business Entities That May Submit Claims
3. Penalties
4. Severability

This Ordinance shall be considered for adoption on Friday, April 29, 1994 at 9:30am MDT, in the regular County Commission Meeting, County Commission Room, Roosevelt County Courthouse, Portales, New Mexico 88130.

Copies of the Ordinance are available to all interested persons during the regular business hours of the Roosevelt County Clerk's Office, Roosevelt County Courthouse, Portales, New Mexico 88130.

3-30-94

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Title Summary  
To Be Published  
Paper No Later  
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for Publication

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## ROOSEVELT COUNTY

### ORDINANCE #94-1

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

BE IT ORDAINED by the governing body, that is the County Commission of the County of Roosevelt, State of New Mexico:

#### SECTION 1:

**RECITALS:** In Compliance with §27-5-6(L) N.M.S.A. (1993 Suppl.), the Roosevelt County Commission does, by this ordinance, determine the types of health care providers that will be able to submit claims to the County Indigent Claims Administrator for payment under the Indigent Hospital and County Health Care Act and from the Roosevelt County Hospital Claims Fund.

#### SECTION 2:

**ADOPTION OF ORDINANCE PROVISIONS RELATING TO THE TYPE OF HEALTH CARE PROVIDERS ALLOWED TO SUBMIT CLAIMS FOR PAYMENT UNDER THE INDIGENT HOSPITAL AND COUNTY HEALTH CARE ACT:** The ordinance governing the types of health care provides that are eligible to submit claims under the Indigent Hospital and County Health Care Act within the County of Roosevelt is hereby adopted as follows:

A. **DEFINITIONS:** As used in this Ordinance:

1. "Administrator" means the Roosevelt County Indigent Hospital Claims Administrator, or a representative of that office;
2. "Ambulance Provider" or "Ambulance Service" means a specialized carrier based within the state authorized under provisions and subject to limitations as provided in individual carrier certificates issued by the state corporation commission to transport persons alive, dead or dying en route by means of ambulance service. The rates and charges established by state corporation commission tariff shall govern as to allowable cost. Also included are air ambulance services approved by the Board, where such services are determined by the treating physician to be medically necessary;
3. "Board" means the Roosevelt County Indigent Hospital and County Health Care Board;

4. "Business Entity" means either "hospital" or "ambulance service" or both as the same may be applicable;
5. "Department" means the Human Services Department;
6. "Fund" means the Roosevelt County Indigent Hospital Claims Fund;
7. "Hospital" means any general or limited hospital licensed by the Department of Health of the State of New Mexico, whether operated for profit, nonprofit, or owned by the State or a political subdivision, but shall not include any hospital owned or operated by Roosevelt County. "Hospital" shall include a licensed out-of-state hospitals, but only if the treatment provided is necessary for the proper care of an indigent patient and such care is not available in an in-state hospital and which hospital has been approved by the Department of Health;
8. "Indigent Patient" means a person, to whom an ambulance service or a hospital has provided medical care or ambulance transportation and who, although he can normally support himself and his dependents on present income and liquid assets available to him but, taking into consideration such income and assets and his requirements for other necessities of life for himself and his dependents, is unable to pay the cost of the ambulance transportation or medical care administered, or both. The term "indigent patient" shall include a minor who has received ambulance transportation or medical care or both and whose parent or the person having his custody, would qualify as an indigent patient if transported by ambulance or admitted to a hospital for care or both. However, the term "indigent patient" shall not include a person whose annual income totals more than : (1) \$10,000.00--Single, (2) \$12,000.00 combined income--Married, (3) Additional \$1,000.00 for each dependent up to four (4) dependents, (4) Income never to exceed \$16,000.00. To be considered an indigent patient under these rules a claimant must have been resident of Roosevelt County for at least ninety (90) days prior to receiving hospital care or ambulance transportation;
9. "Medicaid Eligible" means a person who is eligible for medical assistance from the department; and
10. "Sole Community Provider Hospital" means a hospital that is a sole community provider hospital under the provisions of the federal medicare guidelines established in 42 C.F.R. 412.92 pursuant to Title 18 of the federal Social Security Act.



- B. ENTITIES THAT MAY SUBMIT CLAIMS TO THE ADMINISTRATOR FOR CONSIDERATION BY THE BOARD: All business entities, as defined herein, which may submit claims to the administrator for consideration by the Board on behalf of indigent patients interested in accessing the fund for payment of their medical expenses which are neither medicaid eligible or eligible under the sole community provider hospital fund are limited to:

1. Hospitals, as defined herein, and
2. Ambulance Providers or Ambulance Services, as defined herein.

These and only these business entities may submit claims under the Indigent Hospital and County Health Care Act.

### SECTION 3:

PENALTIES: Penalties for violation of this County Ordinance shall not exceed a fine of three hundred (\$300.00) or imprisonment for ninety (90) days or both the fine and imprisonment.

### SECTION 4:

SEVERABILITY: If any section, subsection, clause, word, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance. The County Commission of the County of Roosevelt hereby declares that it would have passed this Ordinance and each section, sentence, clause, word, and phrase thereof, irrespective of any one or more sections, subsections, sentence, clause, word or phrases being declared unconstitutional or otherwise invalid.

**PASSED, ADOPTED AND SIGNED** by the Roosevelt County Board of County Commissioners as Roosevelt County Ordinance No. 94-1 and recorded with the Roosevelt County Clerk this 29<sup>th</sup> day of April, 1994.

Board of Roosevelt County Commission

BY:

David C. Sanders  
David Sanders, Chairman

A T T E S T

Maudene Haragan  
Maudene Haragan  
Roosevelt County Clerk

DS/vjc

ROOSEVELT CO. NM

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MAUDENE HARAGAN-CLERK

BY

Donna J. Durcan