

By Carol Baca I hereby certify that this instrument
filed for record on the 6
of August A.D. 1985
at 11:00 o'clock M. and duly
orded in book 227 of the records
Misc.

page 227
Under my hand and seal of office
Carol Baca
County Clerk, Grant Co., N.M.

Mary Ann Juarez Deputy
WHEREAS, The Board of County Commissioners of Grant County, New

Mexico, is required by law, Section 27-5-1 through 27-5-18, N.M.S.A.,
1978 Compilation, as amended to sit as the Grant County Indigent
Hospital Claims Board for the purpose of administering the Indigent
Hospital Claims Act, processing indigent hospital claims, and adopting
rules and regulations for the processing of claims;

NOW, THEREFORE, be it hereby resolved that the Board of County
Commissioners of Grant County, New Mexico, sitting as the Grant County
Indigent Hospital Claims Board, has adopted the following rules and
regulations for the processing of indigent hospital claims submitted to
the Grant County Indigent Hospital Claims Board, as follows:

I

PURPOSE OF RULES AND REGULATIONS

The purpose of these rules and regulations is to recognize that
Grant County is the responsible agency, to the extent of funds
available, for ambulance transportation or hospital care for indigent
patients domiciled in Grant County for three months, and to provide a
means whereby Grant County can discharge this responsibility through a
system of financial reimbursement to ambulance providers and hospitals
for the actual costs incurred as the results of ambulance transportation
provided for or the care and treatment of indigent patients in the
hospital of this county.

RESOLUTION NO. 85-07-19 (1)

RULES AND REGULATIONS GOVERNING THE MISC. BK 227

GRANT COUNTY HOSPITAL INDIGENT CLAIM FUND

II

DEFINITIONS

As used in these rules and regulations, the following words and terms shall have the following meanings:

- A. "Board" means the Grant County Indigent Claims Board;
- B. "Administrator" means the Grant County Indigent Hospital Claims Administrator, or a representative of that office;
- C. "Fund" means the Grant County Indigent Hospital Claims Fund;
- D. "Hospital" means any general or limited hospital or nursing home licensed by the Health and Environment Department of the State of New Mexico, whether operated for profit, non-profit, or owned by the State or a political subdivision, but shall not include licensed out-of-state hospitals unless it is shown that care provided at such out-of-state hospitals was not available in a hospital licensed by the Health and Environment Department of the State of New Mexico;
- E. "Ambulance provider or Ambulance service" means a specialized carrier based within the state, operating pursuant to a certificate issued by the State Corporation Commission to transport persons. The rates and charges established by the State Corporation Commission tariff shall govern as to allowable costs. Also included are air ambulance services approved by the Board, where such services are determined by treating physician to be medically necessary and unavailable within the local community;
- F. "Indigent patient" means a person, whose principle place

of residence was Grant County for at least three months preceding provision of medical service, and to whom an ambulance service or a hospital has provided medical care or ambulance transportation and who although he may normally support himself and his dependents on present income and liquid assets available to him, is not able to pay the costs of ambulance transportation or medical care administered, taking into consideration his income and those assets and his requirement for other necessities of life for himself and his dependents. 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, in no event shall the term "indigent patient" include a person whose annual income, together with his spouse's annual net income, as shown on his last annual Federal income tax return, totals an amount which is 50% greater than the per capita personal income for New Mexico, as shown for the most recent year available in the Survey of Current Business published by the United States Department of Commerce.

G. "cost" means all allowable ambulance transportation or medical charges for an indigent patient.

H. "Business entity" means either "hospital" or "ambulance service" or both as the same may be applicable.

III

INDIGENT HOSPITAL CLAIMS BOARD

There is established by these rules and regulations the Grant County Indigent Hospital Claims Board. The members of the Grant County County Commissions shall constitute the membership of the Board and the chairman of the Grant County Commission shall sit as the chairman of the Board. The Board:

- A. Shall administer claims pursuant to the provisions of the Indigent Hospital Claims Act;
- B. Shall annually prepare and submit a budget to the Board of County Commissioners for the amount needed to defray claims made upon the fund and to pay costs of administration of the Indigent Hospital Claims Act, which costs of administration shall in no event exceed 4% of the budget;
- C. Shall adopt and amend, as necessary, rules and regulations to carry out the provisions of the Indigent Hospital Claims Act;
- D. Shall hire such personnel as are necessary to carry out the provisions of the Indigent Hospital Claims Act within the constraints of the budget established;
- E. Shall review all claims presented by hospital or ambulance service to determine compliance with the rules and regulations adopted by the Board or with the provisions of the Indigent Hospital Claims Act, determine whether the patient for whom the claim is made is an indigent patient, and determine the allowable medical or ambulance service charges; provided that the burden of proof of any claim shall be upon the hospital or ambulance service

F. Shall state in writing the reason for rejecting or disapproving any claim, and shall notify the submitting hospital or ambulance service in writing of the decision;

G. Shall pay all claims that have been approved by the Board from the Fund. *Time frame*

IV

POWERS AND DUTIES OF ADMINISTRATOR

The Board shall employ an Indigent Hospital Claims Administrator.

The Administrator:

- A. Shall attend all meetings of the Board;
- B. Shall maintain an office and regular working hours in the Gila Regional Medical Center, Silver City, New Mexico;
- C. Shall establish a uniform procedure for submitting indigent hospital claims and shall make claim forms available to all requesting business entities;
- D. Shall investigate all claims and shall appear and present those claims to the Board, together with recommendations for action by the Board;
- E. May utilize the facility of the Grant County Sheriff's Department to assist in investigating indigent hospital claims.

V

COUNTY INDIGENT HOSPITAL CLAIMS FUND

There is created in the County Treasury of Grant County a "Grant County Indigent Hospital Claims Fund". The Fund:

HIPAA

- A. Shall be utilized only for purpose specified in the indigent hospital claims act;
- B. Shall be audited regularly in the same fashion as other county funds;
- C. Shall be a public record, including applications to the fund and payments from the fund; however, the treating diagnosis and itemized statements shall be considered confidential and shall be reviewed only by the Board and the Administrator;
- D. Shall carry over balances from ensuing fiscal years into the succeeding fiscal year fund; and,
- E. Shall not be intermingled with other county funds.

VI

FILING OF CLAIMS

To be considered by the Board, all claims for services rendered must meet the minimum requirements set forth herein.

A. Claims submitted must be verified by the patient on the form approved by the Board and must be submitted to the office of the Administrator for processing.

B. All claims must have a cover letter stating the patient's name, social security number, age, date admitted, date discharged, and amount claimed.

C. A detailed statement shall be attached to all claims which shall set forth all collection efforts, attempts to obtain guarantor, attempts to verify information on the indigent patient

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statements and application, and proof that the patient has resided in Grant County at least three months prior to being admitted to the hospital or being provided ambulance service.

D. There shall be attached to the claims a summary statement of charges from the hospital to the patient. A representative of the entity for which the claim is made must be available to present the claim to the Board and shall have available, at the review of the claim, an itemized statement of charges for services rendered. Such representation shall also be available to the Administrator upon request.

E. There shall be a current, detailed credit report attached to the claim. The business entity shall be entitled to include the cost charged to the hospital for the obtaining of the credit report in the total claim submitted.

F. All applicants shall appear personally or through their representative at the office of the Administrator upon request and furnish such documentation as may be required to establish indigency.

VII

DATA REQUIRED TO BE FURNISHED BY HOSPITAL AND AMBULANCE SERVICES

Any ambulance service or hospital in New Mexico, or licensed out-of-state hospital, prior to the filing of a claim with the Board, shall have placed on file with the Board:

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- A. Current data, statistics, schedules and information deemed necessary by the Board to determine the cost for all patients in that hospital or tariff rates or charges of an ambulance service;
- B. Proof that the hospital or ambulance service is licensed where required, under the laws of this state or the state in which the hospital operates; and
- C. Any other information or data deemed necessary by the Board.

VIII

PAYMENT OR REJECTION OF CLAIMS

Claims for payment shall be accepted or rejected in the following manner:

- A. No claim for payment for services rendered prior to January 1, 1986, shall be accepted for review and reimbursement.
- B. All claims for payment shall be filed within ninety (90) days from the date that final services are rendered. In the event that the servicing entity requires additional time for collection efforts or to complete the necessary forms for the indigent hospital claim, the hospital or ambulance service must submit a letter requesting an extension of time for filing the individual claim within the ninety-day period allowed.
- C. The Board shall receive the written recommendation of the Administrator and act within sixty (60) days from the date of receipt of the claim.
- * D. The Administrator shall notify the entity providing the service and the applicant in writing of the decision of the Board.

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so that an aggrieved entity or applicant may appeal to the District Court within the time permitted by Section: 27-5-12.1, N.M.S.A., 1978 Compilation.

IX

EXCLUSIONS AND LIMITATIONS ON PAYMENT

To facilitate the advantageous use of the available funds and the equitable distribution of the funds available, the following exclusions and limitations are applicable:

A. Single claims for outpatient and emergency room services from the hospital in the amount of \$100.00 or less will not be considered for payment.

B. The maximum amount to be paid for hospital services for a single claim shall be 90% of billed charges or \$10,000.00 whichever is less. Should claims in excess of \$11,111.00 be received, the maximum payment limit of \$10,000.00 shall be made for approved claims. However, the balance of the claim may be held in suspense until the end of the fiscal year. At that time, if the fund has not been exhausted, [the Board may consider for payment 90% of the balance of those claims in excess of \$11,111.00 and may pay the total of such claims in proportion to the funds available for such payment] [The maximum amount to be paid for a single claim for ambulance service shall be \$500.00 or 90% of billed charges, whichever is less.] [Partially paid ambulance service claim may be considered for payment in the manner provided for medical service claims.]

C. If the balance of the Fund is inadequate to pay all qualified claims as they are presented, the Board may give priority to those claims incurred at Grant County facilities if the submitting hospital, not located in Grant County, cannot provide proof that the treatment was required, and was not available at a hospital located within Grant County. Additionally, or alternatively, the Board may set temporary lower payment limits or lower percentages of payment during periods when inadequate indigent funds are available in order to discharge the maximum number of pending claims.

D. An unpaid claim made to the Board for payment for the care of an indigent patient shall not expire or become invalid because of the lack of money in the fund during any fiscal year, but shall be carried over into the ensuing fiscal year and, notwithstanding the provisions of any other law, shall be reviewed for payment at six-month intervals during the ensuing fiscal year.

E. Any hospital or ambulance service which shall make application for payment on behalf of a patient from the Fund shall immediately discontinue further efforts to make collection of outstanding balances from the patient. In the event that the Indigent Fund shall make all or partial payment of the indebtedness due by the patient to the hospital or ambulance service, the hospital or ambulance service, as a condition to receipt of such payment, sha

forgive the balance due from the patient.

F. A hospital shall not be paid from the Fund for any charges when the patient has been determined by the Human Services Department to be eligible for medical assistance from that Department.

G. The Board reserves the right to reject any claim or any part of any claim submitted by any hospital, within the limitations set forth in the statutes of the State of New Mexico or the rules adopted by the Board.

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PASSED, APPROVED and ADOPTED this 18th day
of July, 1985.

BOARD OF GRANT COUNTY

COMMISSIONERS

David D. Diaz CHAIRMAN

Manuel T. Serna MEMBER

Angel Placencio MEMBER

ATTEST

Carol Baca
CAROL BACA, COUNTY CLERK

A D D E N D U M

I X

EXCLUSIONS AND LIMITATIONS ON PAYMENT

B. The maximum amount to be paid for hospital services for a single out-of-county claim shall be 75% of billed charges or \$10,000.00, whichever is less. The maximum amount to be paid for a single out-of-county claim for ground and air ambulance services shall be 75% of billed charges or \$5,000.00, whichever is less.

GILA REGIONAL MEDICAL CENTER

1313 EAST 32ND ST.

SILVER CITY, NM 88061

PHONE (505) 388-1591

MEMORANDUM

TO: Grant County Commissioners
FROM: Ronald L. McArthur
Administrator *RLM*
DATE: November 20, 1986
SUBJECT: ADDENDUM TO GRANT COUNTY INDIGENT FUND
ADMINISTRATION RULES AND REGULATIONS

Attached is a proposed Addendum to the rules and regulations governing the Grant County Hospital Indigent Claim Fund. A second paragraph will be added to Article IX Exclusions and Limitations on Payment; subheading "B".

50% The purpose of this Addendum is to establish different payment levels for in-county claims versus out-of-county claims. For example, Luna County pays 86.5% of billed charges for in-county claims and 75% of billed charges for out-of-county claims. The proposed Addendum would continue to pay Grant County claims at 90% of billed charges but would only pay 75% of billed charges for out-of-county claims.

I will attend the December 4th County Commissioner Meeting to answer any questions.

Your approval of the proposed Addendum is requested and appreciated.

cc: Luis Cardoza
County Manager

Lupe Tanner
Claims Administrator

Gila Regional Medical Center Board of Directors

