

[EXT] Today's reg hearing

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Thu 4/29/2021 3:07 PM

To: Office, Policy, TRD <policy.office@state.nm.us>

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The representatives of the home health care businesses have a point. They are businesses licensed by the state and provide what I think everyone agrees are professional services. Unfortunately, by the definition in 7-1-14 NMSA 1978, those services are also "in-person" services. (In fact all health care services are in-person, with the arguable exception of telemedicine services.) Those few physicians who still make house calls have the same problem as the home health care agencies.

I don't know that TRD can "interpret" a way out of this. A statutory change is probably required, like excepting health care services from the definition of "in-person" services. The trick of course will be in carefully defining "health care services".

The business locations of most home health care agencies are probably located within municipalities. So it is a bit ironic that when they perform their services in the county areas, they generally will owe less in tax but will spend more administratively to capture those "savings"--which may largely accrue to the federal government and insurance companies.

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