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**For Immediate Release**

## **U.S. District Court Judge Upholds New Mexico's Medicaid Recertification Process**

***Santa Fe, October 3, 2007*** – Chief U.S. District Court Judge Martha Vasquez last week issued her opinion and order in a class action lawsuit filed against the New Mexico Human Services Department (HSD) and once again dismissed the plaintiffs claims that HSD's recertification system for certain Medicaid benefits contravenes the Medicaid Act, due process, and the state constitution and regulations.

“We agree and are pleased with the Judge's decision in this case,” said Pamela Hyde, HSD Secretary. “The Court's decision allows us to put this issue behind us, and continue to do the work of assuring Medicaid health coverage for eligible low income children, families and seniors.”

The Judge's order, signed September 28, 2007, denies the plaintiff's motions to reconsider the Court's original decision dismissing the lawsuits, filed September 29, 2006.

In the memorandum opinion and order, Judge Vasquez states, “Tens of thousands of Medicaid recertifications have been processed each month during the nearly three years this case has been pending. (The Plaintiffs attempts at) Demonstrating that there is a systemic problem with the recertification process requires more than just anecdotal evidence that some recertifications may not have been processed properly.” The Judge goes on to say, “As the Court previously found, Plaintiffs' position is based on layer after layer of inference that fails to support a competing version of the truth.”

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