

KNOW YOUR RIGHTS

Patients in New Mexico with low incomes cannot be sued or sent to collections for medical bills

Your rights with medical bills:

- **Hospitals and providers must check** if you have a low income before suing you or sending you to collections. They must contact you at least three times.
- At any time, **you can tell the billing department or collection agency you have a low income** and can't be sued or sent to collections under the Patients' Debt Collection Protection Act.
- **You don't need to show income documents to prove you're protected.** A signed statement about your income must be accepted. Complete and sign the Attestation of Indigency form (attached) and send it to the hospital and other medical providers that are sending you bills.

Income below the following levels is considered "low income" (before taxes and deductions):

Household size	1	2	3	4	5	5+
Monthly income:	\$2,660	\$3,607	\$4,553	\$5,500	\$6,447	Add \$947 for every additional person

Hospitals, urgent cares, and other clinics must check if patients qualify for programs that help with medical costs and help them sign up.

- This includes programs like Medicaid, indigent care, and financial assistance.
- Indigent care programs, like UNM Care, cannot deny assistance based on immigration status.



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*****EXAMPLE OF BILL*****

Local Hospital
1234 Street
Albuquerque, NM

Jane Doe
456 Avenue
Albuquerque, NM

☐ Visa ☐ Mastercard ☐ Discover

Card Number
Expiration Date
Cardholder Name
Account Number: 0100100 Amount Paying:

SUMMARY OF SERVICES

(1) → Service Date 07/01/2021

Radiology \$5,000
Surgery \$20,000
ER Visit \$1,000

ACCOUNT SUMMARY

(2) → Verified as having insurance Yes
Billed Charges \$26,000
(3) → Insurance Payments \$20,000
(4) → Balance Due \$6,000
(5) → You were screened for programs that assist with medical costs.

By law, your medical bill must have this information:

1. The date(s) you received care.
2. If you have insurance.
3. If the insurance was billed for your care at the hospital, urgent care, or clinic.
4. How much you owe.
5. If the hospital, urgent care, or clinic checked if you qualify for programs (such as Medicaid) that could help with healthcare costs.



Patients do not have to agree to a payment plan to receive these protections.

ATTESTATION OF INDIGENCY

In New Mexico, a patient cannot be sent to collections or sued for medical bills if the patient's household income is equal to or less than 2 times the federal poverty line.

You may fill out this form for yourself or on behalf of a minor or adult under your guardianship and provide to a hospital, provider, or debt collector billing you for healthcare costs. No other documents can be required.

STEP ONE: Check One

- ☐ I am the patient.
- ☐ I am the parent or legal guardian of the patient, whose name is: _____

**I am over 18 years of age or an emancipated minor. I am fully competent to make this attestation.
I attest that my/the patient's household income is at or below the following:**

STEP TWO: Check One (Use either Projected Yearly Income OR Current Monthly Income)

Projected Yearly Income		OR	Current Monthly Income	
Household Size	Income is no more than:		Household Size	Income is no more than:
1	☐ \$31,920		1	☐ \$2,660
2	☐ \$43,280		2	☐ \$3,607
3	☐ \$54,640		3	☐ \$4,553
4	☐ \$66,000		4	☐ \$5,500
5	☐ \$77,360		5	☐ \$6,447
6+	☐ * _____		6+	☐ * _____
*For family units of 6 or more, add \$11,360 for each additional member.			*For family units of 6 or more, add \$947 for each additional member.	

**Only taxable income counts. This means that social security benefits and most pre-tax deductions from a paycheck should not be counted. If you have questions, contact the Center on Law & Poverty at 505-255-2840.*

STEP THREE: Sign

I request a determination of indigency for myself/the patient.
This attestation proves my/the patient's household income.
13.10.39.9(E) NMAC. Therefore, all collection actions—i.e., selling medical debt to another party (including a debt collector) and actions requiring a legal or judicial process—based on charges for health care services or medical debt are prohibited. NMSA 1978, § 57-32-4(A) (2021). Within 30 days please provide me with a written notice of the determination of indigency, which must include confirmation that collection actions for healthcare services and medical debt are prohibited. 13.10.39.9(F) NMAC.

(Signature of Patient or Parent/
Legal Guardian)

(Date)

(Printed Name of Patient or Parent/
Legal Guardian) (Patient's Date of Birth)