The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 61

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE

SUBSTITUTE FOR HOUSE BILL 212

Introduced by
CHAPTER 61

AN ACT
RELATING TO PUBLIC ASSISTANCE; AMENDING A SECTION OF THE
PUBLIC HEALTH ACT AND ENACTING A NEW SECTION OF THE PUBLIC
ASSISTANCE ACT TO REQUIRE MEDICAL ASSISTANCE REIMBURSEMENT FOR
CRISIS TRIAGE CENTER SERVICES; ENACTING A TEMPORARY PROVISION
TO REQUIRE DEPARTMENT OF HEALTH RULEMAKING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 24-1-2 NMSA 1978 (being Laws 1973,
Chapter 359, Section 2, as amended by Laws 2007, Chapter 325,
Section 6 and by Laws 2007, Chapter 326, Section 1) is amended
to read:

"24-1-2. DEFINITIONS.—As used in the Public Health
Act:

A. "crisis triage center" means a health facility
that:

(1) is licensed by the department of health;

(2) is not physically part of an inpatient
hospital or included in a hospital's license; and

(3) provides stabilization of behavioral
health crises, including short-term residential stabilization;

E. "department" or "division" means the children,
youth and families department as to child care centers,
residential treatment centers that serve persons up to
twenty-one years of age, community mental health centers that
serve only persons up to twenty-one years of age, day
treatment centers that serve persons up to twenty-one years of
age, shelter care homes and those outpatient facilities that
are also community-based behavioral health facilities serving
only persons up to twenty-one years of age and the department
of health as to all other health facilities, unless otherwise
designated;

C. "director" means the secretary;

D. "health facility" means a public hospital,
profit or nonprofit private hospital, general or special
hospital, outpatient facility, crisis triage center, maternity
home or shelter, adult daycare facility, nursing home,
intermediate care facility, boarding home not under the
control of an institution of higher learning, child care
center, shelter care home, diagnostic and treatment center,
rehabilitation center, infirmary, community mental health
center that serves both children and adults or adults only,
residential treatment center that serves persons up to twenty-
one years of age, community mental health center that serves
only persons up to twenty-one years of age and day treatment
center that serves persons up to twenty-one years of age or a
health service organization operating as a freestanding
hospice or a home health agency. The designation of these
entities as health facilities is only for the purposes of
definition in the Public Health Act and does not imply that a
freestanding hospice or a home health agency is considered a health facility for the purposes of other provisions of state or federal laws. "Health facility" also includes those facilities that, by federal regulation, must be licensed by the state to obtain or maintain full or partial, permanent or temporary federal funding. It does not include the offices and treatment rooms of licensed private practitioners;

E. "person", when used without further qualification, means an individual or any other form of entity recognized by law; and

F. "secretary" means the secretary of children, youth and families as to child care centers, residential treatment centers that serve persons up to twenty-one years of age, community mental health centers that serve only persons up to twenty-one years of age, day treatment centers that serve persons up to twenty-one years of age, shelter care homes and those outpatient facilities that are also community-based behavioral health facilities serving only persons up to twenty-one years of age and the secretary of health as to all other health facilities."

SECTION 2. A new section of the Public Assistance Act is enacted to read:

"CRISIS TRIAGE CENTER--MEDICAL ASSISTANCE REIMBURSEMENT.--

A. In accordance with federal law, the secretary
shall adopt and promulgate rules to establish a reimbursement rate for services provided to recipients of state medical assistance at a crisis triage center.

   B. As used in this section, "crisis triage center" means a health facility that:

   (1) is licensed by the department of health;

   (2) is not physically part of an inpatient hospital or included in a hospital's license; and

   (3) provides stabilization of behavioral health crises, including short-term residential stabilization."

SECTION 3. TEMPORARY PROVISION--CRISIS TRIAGE CENTERS--DEPARTMENT OF HEALTH RULEMAKING.--By July 1, 2016, the department of health shall adopt and promulgate rules relating to the licensure of crisis triage centers pursuant to this act.
DON TRIPP, SPEAKER
HOUSE OF REPRESENTATIVES

DENISE RAMONAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

JOHN A. SANCHEZ, PRESIDENT
SENATE

LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 7th day of April, 2015

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO