AN ACT

RELATING TO HEALTH; CLARIFYING THE DEFINITION OF "CONTRACTING HOSPITAL" IN THE HOSPITAL FUNDING ACT.

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

SECTION 1. Section 4-48B-3 NMSA 1978 (being Laws 1981, Chapter 83, Section 3, as amended) is amended to read:

"4-48B-3. DEFINITIONS.--As used in the Hospital Funding Act:

A. "another political subdivision" means a political subdivision of New Mexico, including a municipality and a special hospital district organized under the Special Hospital District Act, but not including a county;

B. "class A county" means a county having a population of more than two hundred thousand persons according to the last federal decennial census;

C. "contracting hospital" means a hospital located in New Mexico or an emergency health care facility that enters into a health care facilities contract with a county or counties or another political subdivision;

D. "county" means any county of the state;

E. "county commissioners" means the board of county commissioners of a county;

F. "county hospital" means a hospital owned by a county;
G. "emergency health care facility" means a twenty-four-hour emergency health care facility that is licensed as a remote location of an acute care hospital and that is located in a class B county:

(1) with a population of more than seventy-five thousand but less than one hundred thousand according to the most recent federal decennial census; and

(2) that has a net taxable value for rate-setting purposes for the 2020 property tax year or a subsequent property tax year of more than one billion dollars ($1,000,000,000) but less than five billion dollars ($5,000,000,000);

H. "health care facilities contract" means an agreement between a hospital or emergency health care facility and a county or counties, or between a hospital or emergency health care facility and a county or counties and another political subdivision, that provides for the payment by the county or counties of all or a portion of the proceeds of a mill levy to the hospital or emergency health care facility in exchange for the agreement by the hospital or emergency health care facility to use the funds only for nonsectarian purposes and to make available the following for the sick of the county or counties:

(1) facilities that admit or treat patients without regard to race, sex, religion or national origin;
(2) facilities that include x-ray, laboratory services and a pharmacy or drug room;

(3) adequate emergency equipment, personnel and procedures, including:

   (a) a standby emergency power system;

   (b) at least one person capable and authorized to initiate immediate lifesaving measures;

   (c) facilities for emergency laboratory work, including, as a minimum, urinalysis, complete blood count, blood type and cross match; and

   (d) diagnostic radiographic facilities;

(4) facilities, procedures and policies for prevention, control and reporting of communicable diseases, including one or more rooms for isolation of patients having or suspected of having communicable diseases;

(5) adequate records, including, as required by law, a daily census and a register of all births, deliveries, deaths, admissions, emergency room admissions, discharges, operations, outpatients, inpatients and narcotics; and

(6) physical facilities, personnel, equipment and procedures that comply with the regulations promulgated by the public health division of the department of health, if any;

I. "hospital governing board" means the board that
governs a county hospital or the board of directors or trustees of a contracting hospital;

J. "mill levy" means the rate of the tax, at a rate specified in the Hospital Funding Act, in terms of dollars per thousand dollars of net taxable value of property subject to taxation within the county;

K. "municipality" means any city, town or village incorporated under a general act, special act or special charter; and

L. "equipping" or "re-equipping" means purchase or lease of property of a character subject to the allowance for depreciation under Section 167 of the federal Internal Revenue Code of 1986, as amended or renumbered, and regulations promulgated in accordance with that section."