

AN ACT

RELATING TO HEALTH; REQUIRING THE HUMAN SERVICES DEPARTMENT
TO MAXIMIZE FEDERAL MATCHING FUNDS FOR HEALTH SERVICES.

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

Section 1. Section 27-1-3 NMSA 1978 (being Laws 1937,
Chapter 18, Section 4, as amended) is amended to read:

"27-1-3. ACTIVITIES OF HUMAN SERVICES DEPARTMENT.-- The
department shall be charged with the administration of all
the welfare activities of the state as provided in Chapter
27 NMSA 1978, except as otherwise provided for by law. The
department shall, except as otherwise provided by law:

A. administer old age assistance, aid to
dependent children, assistance to the needy blind and
otherwise handicapped and general relief;

B. administer all aid or services to crippled
children, including the extension and improvement of
services for crippled children, insofar as practicable under
conditions in this state, provide for locating children who
are crippled or who are suffering from conditions which lead
to crippling, provide corrective and any other services and
care and facilities for diagnosis, hospitalization and
after-care for children who are crippled or who are
suffering from conditions which lead to crippling, and
supervise the administration of those services that are not
administered directly by the department;

C. administer and supervise all child welfare activities, service to children placed for adoption, service and care of homeless, dependent and neglected children, service and care for children in foster family homes or in institutions because of dependency or delinquency and care and service to any child who because of physical or mental defect may need such service;

D. formulate detailed plans, make rules and take action deemed necessary or desirable to carry out the provisions of Chapter 27 NMSA 1978 and that is not inconsistent with the provisions of that chapter;

E. cooperate with the federal government in matters of mutual concern pertaining to public welfare and public assistance, including the adoption of such methods of administration as are found by the federal government to be necessary for the efficient operation of the plan for public welfare and assistance;

F. assist other departments, agencies and institutions of local, state and federal governments when so requested, cooperate with such agencies when expedient in performing services in conformity with the purposes of Chapter 27 NMSA 1978 and cooperate with medical, health, nursing and welfare groups, any state agency charged with the administration of laws providing for vocational rehabilitation of physically handicapped persons and organizations within the state;

G. act as the agent of the federal government in welfare matters of mutual concern in conformity with the provisions of Chapter 27 NMSA 1978 and in the administration of any federal funds granted to this state, to aid in furtherance of any such functions of the state government;

H. establish in counties or in districts, which may include two or more counties, local units of administration to serve as agents of the department;

I. at its discretion, establish local boards of public welfare for such territory as it may see fit and by rule prescribe the duties of the local board;

J. administer such other public welfare functions as may be assumed by the state after the effective date of this section;

K. carry on research and compile statistics relative to the entire public welfare program throughout the state, including all phases of dependency, defectiveness, delinquency and related problems, and develop plans in cooperation with other public and private agencies for the prevention as well as treatment of conditions giving rise to public welfare problems;

L. inspect and require reports from all private institutions, boarding homes and agencies providing assistance, care or other direct services to children who are crippled, neglected, delinquent or dependent, the aged, blind, feeble-minded and other dependent persons; and

M identify health related programs in the department and in other state departments, including the department of health, the state department of public education and the children, youth and families department, that are eligible for federal matching funds through Title 19 or Title 21 of the federal Social Security Act or similar programs and establish and maintain, and assist those state departments in establishing and maintaining, mechanisms necessary to obtain the most favorable federal matching funds appropriate for those programs.

Nothing contained in this section shall be construed to authorize the department to establish or prescribe rules for or otherwise regulate programs or services to children in group homes as defined in Section 9-8-13 NMSA 1978. "