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SENATE BILL 108

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Sue Wilson Beffort

AN ACT

RELATING TO HUMAN SERVICES; ENACTING THE KEEPING FAMILIES TOGETHER ACT TO REQUIRE THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO ESTABLISH A KEEPING FAMILIES TOGETHER PILOT PROJECT TO PROVIDE SUPPORTIVE HOUSING SERVICES TO CERTAIN VULNERABLE FAMILIES IN BERNALILLO, DONA ANA AND VALENCIA COUNTIES; ESTABLISHING THE KEEPING FAMILIES TOGETHER FUND; CREATING THE KEEPING FAMILIES TOGETHER WORKING GROUP; PROVIDING FOR DELAYED REPEAL; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Keeping Families Together Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Keeping Families Together Act:

A. "core service agency" means an entity that

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1 contracts with the state to coordinate care and provide
2 comprehensive services, including psychiatric services,
3 medication management, crisis services and comprehensive
4 community support services, to individuals living with mental
5 illness, emotional disturbance or substance dependence;

6 B. "department" means the children, youth and
7 families department;

8 C. "housing services provider" means a
9 governmental, quasi-governmental or nongovernmental entity that
10 helps eligible families obtain affordable long-term housing by
11 administering government housing vouchers, locating appropriate
12 housing, facilitating client interactions with landlords or
13 housing owners, providing assistance with moving and other
14 housing-related expenses or providing similar housing-related
15 services;

16 D. "keeping families together model" means a
17 program that:

18 (1) uses long-term supportive housing as a
19 tool to reduce child abuse and neglect and prevent foster care
20 among homeless or inadequately housed families; and

21 (2) emphasizes immediate access to long-term
22 supportive housing rather than transitional housing or housing
23 contingent on participation in supportive housing programs;

24 E. "long-term supportive housing" means the
25 provision of a combination of free or low-cost housing and

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1 supportive services, including counseling, substance abuse
2 treatment, physical and mental health care, assistance in
3 accessing public benefits, parenting skills training and
4 employment assistance for a period of not less than twenty-four
5 months or until a family chooses to leave the provided housing;
6 and

7 F. "secretary" means the secretary of children,
8 youth and families.

9 SECTION 3. [NEW MATERIAL] KEEPING FAMILIES TOGETHER PILOT
10 PROJECT--ELIGIBILITY--SERVICES--PROCUREMENT.--

11 A. By January 1, 2015, the secretary shall create
12 the keeping families together pilot project to provide long-
13 term supportive housing through December 31, 2018 to at least
14 fifty families who lack secure housing and whose children have
15 been identified as victims in substantiated findings of child
16 abuse or neglect. At least twenty-five participating families
17 shall be residents of Bernalillo county. At least thirteen
18 participating families shall be residents of Dona Ana county.
19 At least twelve participating families shall be residents of
20 Valencia county.

21 B. To carry out the provisions of the Keeping
22 Families Together Act, the department shall contract, in
23 accordance with the recommendations of the procurement team
24 appointed pursuant to Subsection G of this section, with
25 supportive housing providers in Bernalillo, Dona Ana and

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1 Valencia counties to provide long-term supportive housing
2 services as well as a program manager to administer the pilot
3 project. The duties of the supportive housing providers and
4 program manager shall be prescribed by department rules.

5 C. In order to be deemed eligible to participate in
6 the keeping families together pilot project, a family shall
7 meet the following eligibility criteria, as defined by rules
8 the secretary has adopted and promulgated:

9 (1) a child in the family has been identified
10 as a victim in a substantiated finding of child abuse or
11 neglect;

12 (2) the family is homeless or has inadequate
13 housing; and

14 (3) a family member has been identified as
15 having a substance dependency or mental illness.

16 D. At a minimum, the department shall provide to a
17 family participating in the keeping families together pilot
18 project the following:

19 (1) assistance in locating and procuring long-
20 term supportive housing of a size and quality appropriate for
21 that family;

22 (2) funds for rent, utilities, utility
23 deposits and a security deposit in an amount that guarantees
24 that the family pays no more than thirty percent of its income
25 for housing and utility-related expenses;

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1 (3) family services, including behavioral
2 services, designed to foster the family's health, well-being
3 and stability;

4 (4) parenting skills training; and

5 (5) employment assistance.

6 E. Between January 1, 2015 and December 31, 2018,
7 the department shall report annually the progress and outcomes
8 of the keeping families together pilot project to the governor,
9 the legislative health and human services committee and the
10 legislative finance committee.

11 F. The long-term supportive housing provided
12 pursuant to the Keeping Families Together Act shall:

13 (1) conform to the keeping families together
14 model;

15 (2) be consistent at the different pilot sites
16 in order to allow rigorous comparison of results across sites;
17 and

18 (3) conform to standards that ensure high-
19 quality service delivery and continual quality improvement.

20 G. The secretary shall appoint a procurement team
21 to conduct the bid process for the services of supportive
22 housing providers and a program manager. The procurement team
23 shall consist of:

24 (1) a representative of the department; and

25 (2) a representative of an entity that:

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- 1 (a) is based in the state;
- 2 (b) is nonpartisan;
- 3 (c) is a not-for-profit entity;
- 4 (d) has at least one year of experience
- 5 in providing expert legal analysis;
- 6 (e) has at least one year of experience
- 7 in providing analysis of long-term supportive housing programs
- 8 as a foster-care prevention or family reunification tool; and
- 9 (f) has a demonstrated knowledge of
- 10 housing service providers and human services providers in the
- 11 state.

12 H. By accepting keeping families together pilot
13 project funding, a long-term supportive housing provider shall
14 agree to:

15 (1) meet monthly with the keeping families
16 together working group;

17 (2) obtain permission from program
18 participants to collect data about program participants and
19 their program outcomes;

20 (3) collect, analyze and report data as
21 prescribed by department rules;

22 (4) store, manage and share data relating to
23 the pilot project with the department, service providers,
24 researchers and state agencies only in accordance with federal
25 and state privacy laws; and

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1 (5) collect data in a standardized format from
2 supportive housing sites statewide.

3 SECTION 4. [NEW MATERIAL] KEEPING FAMILIES TOGETHER
4 WORKING GROUP--DUTIES--MEMBERSHIP.--

5 A. The "keeping families together working group" is
6 created. The keeping families together working group shall
7 meet monthly at the call of the co-chairs of the working group
8 and shall ensure the collaboration, the sharing of best
9 practices and consistency across program sites. It shall
10 direct the program manager and the long-term supportive housing
11 service providers in the collection of data and making monthly
12 reports to the secretary on the progress of the pilot project.

13 B. The working group shall consist of the following
14 members:

15 (1) the members of the procurement team
16 appointed pursuant to Subsection G of Section 3 of the Keeping
17 Families Together Act, who shall serve as co-chairs of the
18 working group;

19 (2) one representative from each supportive
20 housing provider that provides services pursuant to the Keeping
21 Families Together Act;

22 (3) a representative from each core service
23 agency that contracts with the department to provide services
24 to a participant family; and

25 (4) up to two additional members appointed by

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1 the co-chairs as they deem necessary.

2 C. Members appointed pursuant to Paragraph (4) of
3 Subsection B of this section may receive per diem and mileage
4 pursuant to the provisions of the Per Diem and Mileage Act but
5 shall receive no other perquisite, compensation or allowance
6 for their services on the keeping families together working
7 group.

8 SECTION 5. [NEW MATERIAL] KEEPING FAMILIES TOGETHER
9 FUND--DISBURSEMENTS.--The "keeping families together fund" is
10 created in the state treasury. The fund shall consist of:
11 appropriations; loan payments; federal funds received for the
12 purpose of making loans; gifts; grants; donations; and bequests
13 made to the fund. Income from the fund shall be credited to
14 the fund, and money in the fund shall not revert or be
15 transferred to any other fund until it reverts to the general
16 fund at the end of fiscal year 2019. The department shall
17 administer the fund, and money in the fund is appropriated to
18 the department to provide long-term supportive housing in
19 accordance with the provisions of the Keeping Families Together
20 Act. Money in the fund shall be disbursed upon warrants signed
21 by the secretary of finance and administration pursuant to
22 vouchers signed by the secretary of children, youth and
23 families or the secretary of children, youth and families'
24 authorized representative.

25 SECTION 6. APPROPRIATION.--Nine hundred ninety-five
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1 thousand seven hundred ninety-nine dollars (\$995,799) is
2 appropriated from the general fund to the keeping families
3 together fund for expenditure in fiscal years 2015 through 2019
4 for the children, youth and families department to fund the
5 keeping families together pilot project for supportive housing.
6 Any unexpended or unencumbered balance remaining at the end of
7 fiscal year 2019 shall revert to the general fund.

8 SECTION 7. DELAYED REPEAL.--Sections 1 through 5 of this
9 act are repealed effective January 1, 2019.