

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 212

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

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;

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underscored material = new
[bracketed material] = delete

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

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

5 [A.] B. "department" or "division" means the
6 children, youth and families department as to child care
7 centers, residential treatment centers that serve persons up to
8 twenty-one years of age, community mental health centers that
9 serve only persons up to twenty-one years of age, day treatment
10 centers that serve persons up to twenty-one years of age,
11 shelter care homes and those outpatient facilities that are
12 also community-based behavioral health facilities serving only
13 persons up to twenty-one years of age and the department of
14 health as to all other health facilities, unless otherwise
15 designated;

16 [B.] C. "director" means the secretary;

17 ~~[C. "person", when used without further~~
18 ~~qualification, means an individual or any other form of entity~~
19 ~~recognized by law;]~~

20 D. "health facility" means a public hospital,
21 profit or nonprofit private hospital, general or special
22 hospital, outpatient facility, crisis triage center, maternity
23 home or shelter, adult daycare facility, nursing home,
24 intermediate care facility, boarding home not under the control
25 of an institution of higher learning, child care center,

1 shelter care home, diagnostic and treatment center,
 2 rehabilitation center, infirmary, community mental health
 3 center that serves both children and adults or adults only,
 4 residential treatment center that serves persons up to twenty-
 5 one years of age, community mental health center that serves
 6 only persons up to twenty-one years of age and day treatment
 7 center that serves persons up to twenty-one years of age or a
 8 health service organization operating as a freestanding hospice
 9 or a home health agency. The designation of these entities as
 10 health facilities is only for the purposes of definition in the
 11 Public Health Act and does not imply that a freestanding
 12 hospice or a home health agency is considered a health facility
 13 for the purposes of other provisions of state or federal laws.
 14 "Health facility" also includes those facilities that, by
 15 federal regulation, must be licensed by the state to obtain or
 16 maintain full or partial, permanent or temporary federal
 17 funding. It does not include the offices and treatment rooms
 18 of licensed private practitioners; ~~and~~

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

22 ~~[E.]~~ F. "secretary" means the secretary of
 23 children, youth and families as to child care centers,
 24 residential treatment centers that serve persons up to twenty-
 25 one years of age, community mental health centers that serve

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1 only persons up to twenty-one years of age, day treatment
2 centers that serve persons up to twenty-one years of age,
3 shelter care homes and those outpatient facilities that are
4 also community-based behavioral health facilities serving only
5 persons up to twenty-one years of age and the secretary of
6 health as to all other health facilities."

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

9 "[NEW MATERIAL] CRISIS TRIAGE CENTER--MEDICAL ASSISTANCE
10 REIMBURSEMENT.--

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

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

17 (1) is licensed by the department of health;

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

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

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

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