

1 SENATE BILL 441

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Gerald Ortiz y Pino

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10 AN ACT

11 RELATING TO HEALTH; ADDRESSING BEHAVIORAL HEALTH PROVIDER
12 SHORTAGES IN CERTAIN COMMUNITIES; CREATING A FUND; MAKING AN
13 APPROPRIATION.

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

16 SECTION 1. [NEW MATERIAL] COMMUNITY BEHAVIORAL HEALTH
17 RESOURCES DEVELOPMENT FUND--CREATED.--

18 A. The "community behavioral health resources
19 development fund" is created in the state treasury. The fund
20 consists of appropriations, gifts, grants and donations. Money
21 in the fund at the end of a fiscal year shall not revert to any
22 other fund. The human services department shall administer the
23 fund, and money in the fund shall be used to address behavioral
24 health provider shortages in counties with fewer than one full-
25 time-equivalent psychiatrist per ten thousand people. The

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1 secretary of human services shall administer the fund.
2 Disbursements from the fund shall be made by warrant of the
3 secretary of finance and administration pursuant to vouchers
4 signed by the secretary of human services.

5 B. The human services department shall develop an
6 application process, selection criteria for applicants, rules
7 for the permissible use of the fund and a system for monitoring
8 the use of the fund.

9 C. Money in the fund may be made available to:

10 (1) behavioral health services providers who
11 start new practices in communities located in counties with
12 fewer than one full-time-equivalent psychiatrist per ten
13 thousand people and serve clients who are medicaid recipients
14 or eligible for medicaid to cover start-up costs incurred
15 during the first year of operation;

16 (2) preceptors who supervise behavioral health
17 provider trainees in psychiatry, psychiatric nursing,
18 psychology, counseling or clinical social work;

19 (3) nonprofit or private behavioral health
20 services provider entities to compensate interns who have
21 graduated from programs in psychiatry, psychiatric
22 nursing, psychology, counseling or clinical social work but are
23 not yet licensed at a salary equivalent to that of a first-
24 year, licensed provider; and

25 (4) nonprofit or private behavioral health

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1 entities to compensate:

2 (a) graduate students in psychiatry,
3 psychiatric nursing, psychology, counseling or clinical social
4 work performing internships or field work; and

5 (b) the licensed behavioral health
6 services providers who supervise those graduate students.

7 D. No later than November 1, 2023 and annually
8 thereafter, the human services department shall report to the
9 legislative health and human services committee and the
10 legislative finance committee on the effectiveness of the fund
11 and the purposes for which the fund has been used.

12 SECTION 2. APPROPRIATION.--Ten million dollars
13 (\$10,000,000) is appropriated from the general fund to the
14 community behavioral health resources development fund for
15 expenditure in fiscal year 2024 and subsequent fiscal years for
16 the purposes of the fund. Any unexpended or unencumbered
17 balance remaining at the end of a fiscal year shall not revert
18 to the general fund.