

HOUSE BILL 408

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO CHILDREN; REQUIRING THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO CONDUCT A STUDY EVERY FIVE YEARS TO STUDY THE COSTS AND REIMBURSEMENT RATES FOR PROVIDING COMMUNITY-BASED FOSTER CARE PLACEMENTS AND TREATMENTS; HHHC→PROVIDING DEFINITIONS;←HHHC MAKING AN APPROPRIATION.

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

SECTION 1. A new section of the Children's Code is

.229673.2AIC March 1, 2025 (8:28pm)

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enacted to read:

"[NEW MATERIAL] RATE STUDY--COSTS--REIMBURSEMENT RATES--  
COMMUNITY-BASED FOSTER CARE PLACEMENTS--TREATMENTS--REPORT.--

A. Beginning in fiscal year 2026, the department shall conduct a study every five fiscal years to study the costs and reimbursement rates for providing community-based foster care placements and foster care treatment for children in foster care, including the costs of:

(1) resources to address the safety and physical and emotional well-being of a child, parent, guardian or foster parent;

(2) payments to reimburse resource families for the cost of food, clothing, shelter, daily supervision, school supplies, personal incidentals and reasonable travel expenses to meet the needs of a child in that resource family's care; and

(3) any other applicable costs or reimbursements as identified by the department.

B. The studies required in Subsection A of this section shall be provided to the legislative finance committee, with the initial study provided no later than

HHHC→December←HHHC HHHC→September←HHHC 1, 2025. Each additional study shall be provided no later than

HHHC→December←HHHC HHHC→September←HHHC 1 of the calendar year in which the study is conducted.

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C. For the purposes of this section HHC→,←HHC  
HHC→:

(1)←HHC "resource family" means a person or entity licensed by the department or licensed by another state's child welfare agency or a licensed child placement agency that provides foster care services, including respite, non-relative, relative or treatment foster care

HHC→services←HHC . "Resource family" includes foster parents as defined by Subsection K of Section 32A-1-4 NMSA 1978 and preadoptive parents as defined by Subsection Z of Section 32A-1-4 NMSA 1978 HHC→; and

(2) "treatment foster care services" means a specialized form of foster care that provides intensive clinical services and a therapeutic family environment for children with complex emotional, behavioral or mental health needs. "Treatment foster care services" are designed to address significant challenges that cannot be met in traditional foster care settings and:

(a) often require those children to have highly trained foster parents who can implement treatment plans alongside a multidisciplinary team; and

(b) are typically for children transitioning from a more restrictive care setting like a residential treatment setting or the juvenile justice system←HHC ."

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SECTION 2. APPROPRIATION.--One hundred thousand dollars (\$100,000) is appropriated from the general fund to the children, youth and families department for expenditure in fiscal year 2026 to conduct a rate study as provided in Section 1 of this act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2026 shall revert to the general fund.

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2025.

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