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SENATE BILL

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO AUTISM SPECTRUM DISORDER; ENSURING THAT EVERY CHILD
DIAGNOSED WITH AUTISM SPECTRUM DISORDER HAS ACCESS TO MEDICAID
EARLY PERIODIC SCREENING, DIAGNOSIS AND TREATMENT SERVICES;
MAKING APPROPRIATIONS TO INCREASE CAPACITY AND EXPERTISE IN THE
DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDER AND TO
INCREASE ACCESS TO SERVICES FOR PERSONS WITH AUTISM SPECTRUM
DISORDER.

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

SECTION 1. Section 28-16A-13 NMSA 1978 (being Laws 1993,
Chapter 50, Section 13) is amended to read:

"28-16A-13. AUTHORIZATION FOR PROVIDING [~~COMMUNITY-BASED~~]
SUPPORT AND SERVICES FOR PERSONS WITH DEVELOPMENTAL
DISABILITIES.--

A. Subject to the availability of appropriations

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1 provided expressly for this purpose, the department may:

2 (1) acquire, provide or coordinate support and
3 services for persons with developmental disabilities;

4 (2) enter into contracts and provider
5 agreements with agencies and individuals capable of providing
6 support and services to persons with developmental disabilities
7 that promote the objectives of the department's state plan,
8 prepared pursuant to Section [~~5 of the Developmental~~
9 ~~Disabilities Act~~] 28-16A-5 NMSA 1978; and

10 (3) establish advisory councils and task
11 forces as necessary to guide the development and review of
12 support and services to persons with developmental
13 disabilities.

14 B. Support and services shall be provided based on
15 individual support and service plans developed by an
16 interdisciplinary team. The team is responsible for
17 collectively evaluating the child's or adult's needs and
18 developing an individual support and service plan to meet the
19 needs.

20 C. The department shall:

21 (1) solicit the involvement of consumers,
22 providers, parents, professional organizations and other
23 governmental organizations prior to the adoption or revision of
24 any policies or regulations concerning the provision of
25 support, services, standards or funding systems. Participants

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1 shall be selected in a manner that reflects geographical,
2 cultural, organizational and professional representation across
3 the state;

4 (2) develop policies, procedures, rules and
5 regulations that, to the extent possible, will promote
6 uniformity in reimbursement and quality assurance systems
7 regardless of the source of funding; ~~and~~

8 (3) convene and maintain a family infant
9 toddler inter-agency coordinating council and a statewide adult
10 support and services task force that shall, at a minimum,
11 address quality assurance; and

12 (4) ensure that every child with a diagnosis
13 of autism spectrum disorder has access to medicaid early
14 periodic screening, diagnosis and treatment services."

15 SECTION 2. APPROPRIATION.--

16 A. The following amounts are appropriated from the
17 general fund to the following agencies for expenditure in
18 fiscal year 2017 as follows:

19 (1) to the department of health:
20 (a) one million dollars (\$1,000,000) to
21 build agency expertise in autism spectrum disorders, to develop
22 a state autism spectrum disorder registry and to engage
23 community stakeholders in planning future autism spectrum
24 disorder initiatives;

25 (b) one million dollars (\$1,000,000) to

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1 develop and implement community access programs for adults with
2 autism spectrum disorder who are not receiving services
3 pursuant to the developmental disabilities waiver;

4 (c) one million dollars (\$1,000,000) to
5 develop and implement model residential support services for
6 adults with autism spectrum disorder and challenging behaviors
7 who are enrolled in the developmental disabilities waiver
8 program;

9 (d) one million dollars (\$1,000,000) to
10 contract with the university of New Mexico health sciences
11 center's department of psychiatry to develop and implement
12 residential treatment for children with autism spectrum
13 disorder and challenging behaviors who meet criteria for high
14 levels of care;

15 (e) one million dollars (\$1,000,000) to
16 contract with the university of New Mexico's center for
17 development and disability to develop and implement a satellite
18 diagnostic clinic that offers multidisciplinary evaluations and
19 utilizes the project ECHO model for technical support and
20 supervision;

21 (f) one million dollars (\$1,000,000) to
22 contract with the university of New Mexico's center for
23 development and disability to expand the parent home training
24 program to include older children receiving a new diagnosis of
25 autism spectrum disorder;

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1 (g) one million dollars (\$1,000,000) to
2 contract with the university of New Mexico health sciences
3 center to develop and implement adult diagnostic evaluations
4 for autism spectrum disorder; and

5 (h) five hundred thousand dollars
6 (\$500,000) to contract with the university of New Mexico health
7 sciences center to develop behavioral health models, including
8 comprehensive community support services, and psychosocial
9 rehabilitation programs specific to adults with autism spectrum
10 disorder and to provide training, technical assistance and
11 mentoring to local community providers statewide;

12 (2) to the public education department:

13 (a) two million dollars (\$2,000,000) to
14 contract with autism programs at New Mexico post-secondary
15 educational institutions to assist school districts in the
16 development and implementation of evidence-based practices in
17 classrooms for students with autism spectrum disorder and to
18 build in-state autism spectrum disorder expertise and capacity;
19 and

20 (b) one million dollars (\$1,000,000) to
21 its vocational rehabilitation division to develop and implement
22 employment programs specific to the needs of persons with
23 autism spectrum disorder; and

24 (3) one million dollars (\$1,000,000) to the
25 higher education department to develop and implement evidence-

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1 based peer mentoring programs for students with autism spectrum
2 disorder who are enrolled in post-secondary educational
3 institutions.

4 B. Any unexpended or unencumbered balance remaining
5 at the end of fiscal year 2017 shall revert to the general
6 fund.