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SENATE BILL

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO BEHAVIORAL HEALTH; ENACTING THE SAFE HOUSE ACT;  
ESTABLISHING THE SAFE HOUSE AND CRISIS FUND; 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 "Safe House Act".

SECTION 2. [NEW MATERIAL] PURPOSES.--The purposes of the  
Safe House Act are to:

A. offer early intervention services to ensure that  
a person who needs behavioral health support but does not need  
hospitalization has access to an appropriate level of such  
support, including access to necessary prescription medication  
and professional counseling; and

B. ensure that persons with behavioral health needs

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1 are cared for in a less restrictive environment.

2 SECTION 3. [NEW MATERIAL] DEFINITIONS.--As used in the  
3 Safe House Act:

4 A. "department" means the human services  
5 department;

6 B. "early intervention services" means services  
7 designed to provide a person who has behavioral health  
8 disorders and who is experiencing symptoms a safe, supportive  
9 and affirming nonclinical residence where the person may  
10 integrate the meaning of what the person is experiencing and  
11 regain equilibrium and the ability to relate effectively to  
12 other people. "Early intervention services" includes peer  
13 support with an emphasis on relationship-building;

14 C. "peer support specialist" means a person who has  
15 previously experienced urgent behavioral health needs and has  
16 recovered and who has successfully completed training  
17 qualifying that person to work with a resident;

18 D. "resident" means an adult who has experienced  
19 urgent behavioral health needs but does not require  
20 hospitalization and who voluntarily resides in a safe house;  
21 and

22 E. "safe house" means a nonclinical environment  
23 that offers early intervention services by housing no more than  
24 six voluntary residents who engage in routine activities of  
25 daily living and learn about tools for recovery through

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1 experience and peer support.

2 SECTION 4. [NEW MATERIAL] PEER SUPPORT TRAINING.--The  
3 department shall provide by rule for training and credentialing  
4 of peer support specialists; provided that each peer support  
5 specialist shall personally have experienced urgent behavioral  
6 health needs and shall be certified as having completed  
7 training in de-escalation techniques, cultural competency, race  
8 relations, the recovery process and avoidance of aggressive  
9 confrontation prior to working at a safe house.

10 SECTION 5. [NEW MATERIAL] SAFE HOUSE PROGRAM--  
11 ELIGIBILITY.--

12 A. The department shall administer safe houses in  
13 rural and urban communities.

14 B. A safe house authorized by this section shall  
15 offer early intervention services that:

16 (1) serve residents who are eligible for the  
17 services and not eligible for federal medical assistance  
18 programs;

19 (2) are staffed twenty-four hours a day by one  
20 or more peer support specialists;

21 (3) employ a licensed clinician full time and  
22 a psychiatric consultant at least part time;

23 (4) include peer support in helping residents  
24 perform daily public living skills and reentry into independent  
25 living;

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1 (5) offer a mix of therapeutic services,  
2 including nontraditional tools for wellness and traditional  
3 behavioral health services;

4 (6) accept a resident, funds permitting, on a  
5 first-come, first-served basis;

6 (7) base length of stay on the psychological  
7 state of residents, that psychological state referring to their  
8 ability and willingness to live in more independent settings  
9 and to resume their desired roles in the community; and

10 (8) are a part of a system of care continuum  
11 to include housing options such as the interagency behavioral  
12 health purchasing collaborative's supportive housing  
13 initiatives or a local housing first program and each  
14 community's array of support services, such as those provided  
15 by the department's comprehensive community support services  
16 program.

17 C. As early as possible, but within one week of a  
18 resident's departure from a safe house, the resident shall be  
19 introduced by the department to a service provider who may  
20 coordinate care and otherwise provide support for the resident  
21 after the safe house stay ends.

22 D. As part of the planning and development of the  
23 safe houses, the department shall consult with community  
24 stakeholders, including those who use the behavioral health  
25 system and their family members, providers of behavioral health

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1 services, whether traditional or alternative, advocates, local  
2 collaboratives, local planning and zoning entities, the  
3 behavioral health planning council and others with subject  
4 matter expertise.

5 SECTION 6. [NEW MATERIAL] SAFE HOUSE AND CRISIS FUND--  
6 CREATED--PURPOSE.--The "safe house and crisis fund" is created  
7 in the state treasury. The fund shall consist of  
8 appropriations, gifts, grants and donations. Balances in the  
9 fund at the end of a fiscal year shall not revert to the  
10 general fund. The interagency behavioral health purchasing  
11 collaborative shall administer the fund for the purpose of  
12 providing early intervention services to persons with urgent  
13 behavioral health needs. Disbursements may be made on warrants  
14 drawn by the secretary of finance and administration upon  
15 vouchers signed by the secretary of human services.

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