

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL

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

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO HEALTH; PREVENTING THE RESTRICTION OF MEDICATION-  
ASSISTED TREATMENT FOR MINORS IN INPATIENT AND OUTPATIENT  
SUBSTANCE ABUSE TREATMENT FACILITIES AND PROGRAMS THAT ARE  
OPERATED OR FUNDED BY THE STATE; CREATING THE EVIDENCE-BASED  
ADDICTION TREATMENT FOR MINORS FUND; MAKING AN APPROPRIATION.

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

**SECTION 1.** [NEW MATERIAL] DEFINITIONS.--As used in  
Sections 1 through 3 of this act:

A. "evidence-based" means a course of treatment  
that is supported by research, clinical expertise and the needs  
of a patient;

B. "inpatient substance abuse treatment facility"  
means a residential facility that operates twenty-four hours  
per day and provides intensive management of symptoms related

underscoring material = new  
~~[bracketed material] = delete~~

underscored material = new  
~~[bracketed material] = delete~~

1 to addiction and monitoring of the physical and mental  
2 complications resulting from substance use;

3 C. "medication-assisted treatment" means the use of  
4 federal-food-and-drug-administration-approved prescription  
5 drugs for the treatment of substance use disorder;

6 D. "minor" means an individual who is under  
7 eighteen years of age; and

8 E. "outpatient substance abuse treatment program"  
9 means a program that offers resources, counseling and substance  
10 abuse treatment on an outpatient basis.

11 SECTION 2. [NEW MATERIAL] MEDICATION-ASSISTED TREATMENT  
12 FOR MINORS IN INPATIENT SUBSTANCE ABUSE TREATMENT FACILITIES  
13 AND OUTPATIENT SUBSTANCE ABUSE TREATMENT PROGRAMS.--

14 A. By the end of fiscal year 2026, the department  
15 of health and the children, youth and families department shall  
16 not operate or contract with an inpatient substance abuse  
17 treatment facility or outpatient substance abuse treatment  
18 program that has policies or procedures that restrict the use  
19 of medication-assisted treatment for the treatment of substance  
20 use disorder in minor patients.

21 B. Beginning July 1, 2027, an inpatient substance  
22 abuse treatment facility or outpatient substance abuse  
23 treatment program that has policies or procedures that restrict  
24 the use of medication-assisted treatment for the treatment of  
25 substance use disorder in minor patients shall not be eligible

.229078.1

underscored material = new  
[bracketed material] = delete

1 for reimbursement from the state's medicaid program for  
2 services rendered to minors.

3 C. No later than December 1, 2025, the health care  
4 authority shall promulgate rules for the operation of  
5 medication-assisted treatment programs in inpatient substance  
6 abuse treatment facilities and outpatient substance abuse  
7 treatment programs in consultation with the department of  
8 health, the children, youth and families department, inpatient  
9 substance abuse treatment facility administrators, outpatient  
10 substance abuse treatment program administrators and health  
11 care providers with experience treating substance use disorder  
12 among minor patients.

13 D. Beginning October 1, 2025 and annually  
14 thereafter, the health care authority shall report to the  
15 interim legislative health and human services committee on the  
16 availability of medication-assisted treatment for minor  
17 patients at inpatient substance abuse treatment facilities and  
18 outpatient substance abuse treatment programs.

19 SECTION 3. [NEW MATERIAL] EVIDENCE-BASED ADDICTION  
20 TREATMENT FOR MINORS FUND--CREATED.--

21 A. The "evidence-based addiction treatment for  
22 minors fund" is created as a nonreverting fund in the state  
23 treasury. The fund consists of appropriations, gifts, grants  
24 and donations. The health care authority shall administer the  
25 fund, and money in the fund is appropriated to the health care

.229078.1

underscoring material = new  
~~[bracketed material] = delete~~

1 authority to assist the children, youth and families  
2 department, the department of health and licensed substance  
3 abuse treatment providers to establish and operate medication-  
4 assisted treatment programs for minors. Disbursements from the  
5 fund shall be made by warrants of the secretary of finance and  
6 administration pursuant to vouchers signed by the secretary of  
7 health care authority.

8 B. No later than December 1, 2025, the health care  
9 authority shall promulgate rules for the disbursement of money  
10 from the fund, including eligibility criteria for receiving  
11 money from the fund.