

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 480

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Linda M Lopez

FOR THE LEGISLATIVE HEALTH SUBCOMMITTEE

AN ACT

RELATING TO HEALTH; REQUIRING THE HUMAN SERVICES DEPARTMENT TO  
MAXIMIZE FEDERAL MATCHING FUNDS FOR HEALTH SERVICES.

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

Section 1. Section 27-1-3 NMSA 1978 (being Laws 1937,  
Chapter 18, Section 4, as amended) is amended to read:

"27-1-3. ACTIVITIES OF HUMAN SERVICES DEPARTMENT. -- The  
[human services] department shall be charged with the  
administration of all the welfare activities of the state as  
provided in Chapter 27 NMSA 1978, except as otherwise provided  
for by law. The [human services] department shall, except as  
otherwise provided by law:

A. administer old age assistance, aid to dependent  
children, assistance to the needy blind and otherwise  
handicapped and general relief;

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1           B. administer all aid or services to crippled  
2 children, including the extension and improvement of services  
3 for crippled children, insofar as practicable under conditions  
4 in this state, provide for locating children who are crippled  
5 or who are suffering from conditions which lead to crippling,  
6 provide corrective and any other services and care and  
7 facilities for diagnosis, hospitalization and after-care for  
8 children who are crippled or who are suffering from conditions  
9 which lead to crippling, and supervise the administration of  
10 those services [~~which~~] that are not administered directly by  
11 the department;

12           C. administer and supervise all child welfare  
13 activities, service to children placed for adoption, service  
14 and care of homeless, dependent and neglected children,  
15 service and care for children in foster family homes or in  
16 institutions because of dependency or delinquency and care and  
17 service to any child who because of physical or mental defect  
18 may need such service;

19           D. formulate detailed plans, make rules [~~and~~  
20 ~~regulations~~] and take action deemed necessary or desirable to  
21 carry out the provisions of Chapter 27 NMSA 1978 and [~~which~~]  
22 that is not inconsistent with the provisions of that chapter;

23           E. cooperate with the federal government in  
24 matters of mutual concern pertaining to public welfare and  
25 public assistance, including the adoption of such methods of

underscored material = new  
[bracketed material] = delete

1 administration as are found by the federal government to be  
2 necessary for the efficient operation of the plan for public  
3 welfare and assistance;

4 F. assist other departments, agencies and  
5 institutions of local, state and federal governments when so  
6 requested, cooperate with such agencies when expedient in  
7 performing services in conformity with the purposes of Chapter  
8 27 NMSA 1978 and cooperate with medical, health, nursing and  
9 welfare groups, any state agency charged with the  
10 administration of laws providing for vocational rehabilitation  
11 of physically handicapped persons and organizations within the  
12 state;

13 G. act as the agent of the federal government in  
14 welfare matters of mutual concern in conformity with the  
15 provisions of Chapter 27 NMSA 1978 and in the administration  
16 of any federal funds granted to this state, to aid in  
17 furtherance of any such functions of the state government;

18 H. establish in counties or in districts, which  
19 may include two or more counties, local units of  
20 administration to serve as agents of the department;

21 I. at its discretion, establish local boards of  
22 public welfare for such territory as it may see fit and by  
23 rule [~~and regulation~~] prescribe the duties of the local board;

24 J. administer such other public welfare functions  
25 as may be assumed by the state after the effective date of

underscored material = new  
[bracketed material] = delete

1 this section;

2 K. carry on research and compile statistics  
3 relative to the entire public welfare program throughout the  
4 state, including all phases of dependency, defectiveness,  
5 delinquency and related problems, and develop plans in  
6 cooperation with other public and private agencies for the  
7 prevention as well as treatment of conditions giving rise to  
8 public welfare problems; [~~and~~]

9 L. inspect and require reports from all private  
10 institutions, boarding homes and agencies providing  
11 assistance, care or other direct services to children who are  
12 crippled, neglected, delinquent or dependent, the aged, blind,  
13 feeble-minded and other dependent persons; and

14 M identify health related programs in the  
15 department and in other state departments, including the  
16 department of health, the state department of public education  
17 and the children, youth and families department, that are  
18 eligible for federal matching funds through Title 19 or Title  
19 21 of the federal Social Security Act or similar programs and  
20 establish and maintain, and assist those state departments in  
21 establishing and maintaining, mechanisms necessary to obtain  
22 the most favorable federal matching funds appropriate for  
23 those programs.

24 Nothing contained in this section shall be construed to  
25 authorize the department to establish or prescribe [~~standards~~

. 134285. 1

underscored material = new  
[bracketed material] = delete

1 ~~or regulations]~~ rules for or otherwise regulate programs or  
2 services to children in group homes as defined in Section  
3 9-8-13 NMSA 1978. "

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