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SENATE BILL 214

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Leonard Tsosie

AN ACT

RELATING TO INDIAN CHILDREN; REQUIRING CONSIDERATION OF
CULTURAL NEEDS IN INDIAN CHILD PLACEMENT; ENACTING A NEW
SECTION OF THE NMSA 1978.

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

Section 1. A new section of Chapter 32A, Article 18 NMSA
1978 is enacted to read:

"[NEW MATERIAL] CULTURALLY APPROPRIATE PLACEMENTS. -- When a
court removes an Indian child from the child's family and
places the child outside the family home, the department shall
consider the child's cultural needs. Upon determining that a
placement out of the home is medically necessary for an Indian
child, the department shall make reasonable efforts to place
the child in a licensed facility that provides culturally
competent care and access to appropriate cultural practices,

underscored material = new
[bracketed material] = delete

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1 including traditional treatment, as determined in consultation
2 with the child's tribe. "

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