HOUSE BILL 123

48TH LEGISLATURE - **STATE OF NEW MEXICO** - **SECOND SESSION, 2008**

INTRODUCED BY

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AN ACT

RELATING TO BEHAVIORAL HEALTH; ESTABLISHING A NETWORK OF SAFE HOUSE PILOT PROGRAMS FOR PERSONS EXPERIENCING BEHAVIORAL HEALTH CRISES; MAKING AN APPROPRIATION.

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

Section 1. SHORT TITLE.--This act may be cited as the "Safe House Act".

Section 2. PURPOSES.--The purposes of the Safe House Act are to:

A. ensure that a person who needs behavioral health support but does not need hospitalization has access to an appropriate level of such support; and

B. ensure state compliance with federal law requiring that persons with behavioral health needs be cared for in the least restrictive environment.

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Section 3. DEFINITIONS.--As used in the Safe House Act:

A. "department" means the human services department;

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

C. "resident" means an adult who has experienced urgent behavioral health needs yet does not require hospitalization and who voluntarily lives in a safe house;

D. "safe house" means a home-like environment housing no more than six voluntary residents who engage in routine activities of daily living and learn about tools for recovery through experience and peer support; and

E. "short term" means a period of no longer than twelve weeks.

Section 4. PEER SUPPORT TRAINING.--The department shall provide by rule for training and credentialing of a peer support specialist; provided that each peer support specialist shall personally have experienced urgent behavioral health needs and shall be certified as completing training in de-escalation techniques, cultural competency, race relations, the recovery process and avoidance of aggressive confrontation prior to working at a safe house.

Section 5. SAFE HOUSE PROGRAM--ELIGIBILITY.--

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1 A. The department shall administer one or more safe

2 houses in each of the state's four geographic quadrants and one

3 safe house dedicated to serving the Native American population

4 in the northwest part of the state, as funds permit, or at

5 least one safe house site in a rural area on a pilot program

6 basis.

7 B. A safe house authorized by this section shall:

8   (1) serve both those eligible and not eligible

9 for federal medical assistance programs;

10   (2) be staffed twenty-four hours a day by one

11 or more peer support specialists and shall employ a full-time

12 licensed clinician and a part-time psychiatric consultant;

13   (3) include peer support in helping residents

14 perform daily public living skills and reentry into independent

15 living;

16   (4) offer a mix of therapeutic services,

17 including nontraditional tools for wellness and traditional

18 behavioral health services; and

19   (5) accept a resident, funds permitting, on a

20 first-come, first-served basis; provided that no resident shall

21 live at a safe house except for a short term.

22 C. As early as possible, but within one week of a

23 resident's departure from a safe house, the resident shall be

24 introduced to service providers who may coordinate care and

25 otherwise provide support for the resident after the safe house

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stay ends.

Section 6. APPROPRIATION.--Four million one hundred thousand dollars ($4,100,000) is appropriated from the general fund to the human services department for expenditure in fiscal 2009 to establish a safe house pilot program in five communities spread throughout the state as provided in the Safe House Act. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

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