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AN ACT
RELATING TO HEALTH CARE; REQUIRING THAT CERTAIN HEALTH CARE
PROVIDERS THAT PROVIDE SUBSTANCE ABUSE TREATMENT GIVE
PRIORITY TO PREGNANT WOMEN.

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

SECTION 1. SUBSTANCE ABUSE TREATMENT--SERVICES FOR
PREGNANT WOMEN.--

A. Except as provided in Subsection B of this
section, a health care provider that provides substance abuse
treatment to women shall offer:

(1) to pregnant women the same services it
offers to the general population of women, unless offering
those services is otherwise medically indicated; and

(2) treatment to pregnant women at the
earliest reasonable opportunity after the pregnant woman
requests or is referred to substance abuse treatment.

B. If a pregnant woman is referred to or requests
substance abuse treatment from a health care provider that
does not receive reimbursement from state or federal health
coverage programs and that provider is not able to offer
timely substance abuse treatment to that pregnant woman
pursuant to her request or referral, the health care provider
shall assist the pregnant woman in finding appropriate
treatment.

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C. As used in this section, "health care provider that provides substance abuse treatment" means any:

(1) health facility licensed pursuant to the Public Health Act that provides substance abuse treatment in the regular course of business; or

(2) person licensed or otherwise authorized pursuant to state law to provide substance abuse treatment in the regular course of business.