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SENATE BILL 73

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Gerald Ortiz y Pino

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO HUMAN SERVICES; ENACTING A SECTION OF THE PUBLIC ASSISTANCE ACT TO DIRECT THE HUMAN SERVICES DEPARTMENT TO REQUIRE THAT CHILDREN RECEIVING SERVICES PURSUANT TO THE EARLY AND PERIODIC SCREENING, DIAGNOSIS AND TREATMENT PROGRAM AND ALL OTHER PROGRAMS UNDER THE PUBLIC ASSISTANCE ACT BE SCREENED FOR ADVERSE CHILDHOOD EVENTS AND REFERRED TO SERVICES; ENACTING A NEW SECTION OF THE NMSA 1978 TO REQUIRE THAT PROVIDERS OF SERVICES FUNDED THROUGH THE INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE SCREEN CHILDREN RECEIVING THESE SERVICES FOR ADVERSE CHILDHOOD EVENTS AND REFER THEM TO SERVICES.

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

SECTION 1. A new section of the Public Assistance Act is enacted to read:

.195216.2

1           "[NEW MATERIAL] ADVERSE CHILDHOOD EVENTS SCREENING.--

2           A. The department shall require that any provider  
3 of services pursuant to the early and periodic screening,  
4 diagnosis and treatment program, as well as any other provider  
5 of services to recipients under the age of eighteen years,  
6 screen each recipient under the age of eighteen to ascertain  
7 whether the recipient has experienced at least two adverse  
8 childhood events that the secretary has identified by rule,  
9 including:

- 10                           (1) emotional abuse or neglect;  
11                           (2) physical abuse or neglect;  
12                           (3) sexual abuse;  
13                           (4) substance abuse in the household;  
14                           (5) mental illness of a household member;  
15                           (6) violence against the recipient's mother or  
16 stepmother;  
17                           (7) incarceration of a household member;  
18                           (8) loss of contact with a parent of the  
19 recipient;  
20                           (9) homelessness;  
21                           (10) persistent poverty; and  
22                           (11) the experience of being a child parent,  
23 or being raised by a child parent, without adequate social  
24 supports.

25           B. Upon a finding that a recipient has experienced

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1 at least two adverse childhood events, the department shall  
2 refer the recipient for services appropriate to minimize the  
3 impact of the adverse childhood events on the recipient's life.

4 C. The department shall require that vendors  
5 annually compile the following data and report these data to  
6 the department:

7 (1) the number of recipients screened for  
8 adverse childhood events;

9 (2) the number of recipients who are found to  
10 have experienced at least two adverse childhood events; and

11 (3) the services to which recipients found to  
12 have experienced at least two adverse childhood events have  
13 been referred.

14 D. By November 1, 2014 and each November 1  
15 thereafter, the department shall make a report of the data  
16 compiled from vendors to the legislative health and human  
17 services committee. The report shall also include the  
18 department's analysis of any gaps in services or other  
19 recommendations for minimizing the impact of adverse childhood  
20 events in recipients' lives.

21 E. The secretary shall establish by rule guidelines  
22 for screening, referral and data collection pursuant to this  
23 section in collaboration with the children, youth and families  
24 department, the interagency behavioral health purchasing  
25 collaborative, the university of New Mexico health sciences

1 center, managed care organizations that administer the  
2 provision of health care services in the state pursuant to  
3 public programs and stakeholders."

4 SECTION 2. [NEW MATERIAL] ADVERSE CHILDHOOD EVENTS  
5 SCREENING.--

6 A. The interagency behavioral health purchasing  
7 collaborative shall require that any provider of services to  
8 recipients under the age of eighteen years screen each  
9 recipient under the age of eighteen years to ascertain whether  
10 the recipient has experienced at least two adverse childhood  
11 events that the secretary of human services has identified by  
12 rule, including:

- 13 (1) emotional abuse or neglect;
- 14 (2) physical abuse or neglect;
- 15 (3) sexual abuse;
- 16 (4) substance abuse in the household;
- 17 (5) mental illness of a household member;
- 18 (6) violence against the recipient's mother or  
19 stepmother;
- 20 (7) incarceration of a household member;
- 21 (8) loss of contact with a parent of the  
22 recipient;
- 23 (9) homelessness;
- 24 (10) persistent poverty; and
- 25 (11) the experience of being a child parent,

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1 or being raised by a child parent, without adequate social  
2 supports.

3 B. Upon a finding that a recipient has experienced  
4 at least two adverse childhood events, the interagency  
5 behavioral health purchasing collaborative shall require that  
6 the provider refer the recipient for services appropriate to  
7 minimize the impact of the adverse childhood events on the  
8 recipient's life.

9 C. By November 1, 2014 and each November 1  
10 thereafter, the interagency behavioral health purchasing  
11 collaborative shall make a report of the data compiled from  
12 vendors to the legislative health and human services committee.  
13 The report shall also include the interagency behavioral health  
14 purchasing collaborative's analysis of any gaps in services or  
15 other recommendations for minimizing the impact of adverse  
16 childhood events in recipients' lives.

17 D. The secretary of human services shall establish  
18 by rule guidelines for screening, referral and data collection  
19 pursuant to this section in collaboration with the children,  
20 youth and families department, the university of New Mexico  
21 health sciences center, managed care organizations that  
22 administer the provision of health care services in the state  
23 pursuant to public programs and stakeholders.