

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

HOUSE BILL 433

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Candy Spence Ezzell and Bob Wooley

AN ACT

RELATING TO EXECUTIVE REORGANIZATION; ENACTING THE VOCATIONAL REHABILITATION ACT; MOVING THE VOCATIONAL REHABILITATION DIVISION FROM THE PUBLIC EDUCATION DEPARTMENT TO THE WORKFORCE SOLUTIONS DEPARTMENT; MOVING CERTAIN PROVISIONS PERTAINING TO THE BLIND TO CHAPTER 28 NMSA 1978; PROVIDING FOR THE TRANSFER OF MONEY, APPROPRIATIONS, PERSONNEL AND PROPERTY; AMENDING, REPEALING, ENACTING AND RECOMPILING SECTIONS OF THE NMSA 1978.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--Sections 1 through 14 of this act may be cited as the "Vocational Rehabilitation Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Vocational Rehabilitation Act:

A. "department" means the workforce solutions

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 department;

2 B. "director" means the director of vocational  
3 rehabilitation;

4 C. "division" means the vocational rehabilitation  
5 division of the department;

6 D. "federal aid funds" means funds, gifts or grants  
7 received by the state under any federal aid for vocational  
8 rehabilitation;

9 E. "person with a disability" means an individual  
10 who has a physical or mental impairment, whose impairment  
11 constitutes or results in a substantial impediment to  
12 employment and who can benefit in terms of an employment  
13 outcome from the provision of vocational rehabilitation; and

14 F. "vocational rehabilitation" means rehabilitation  
15 services described in an individualized plan for employment  
16 necessary to assist a person with a disability in preparing  
17 for, securing, retaining or regaining an employment outcome  
18 that is consistent with the strengths, resources, priorities,  
19 concerns, abilities, capabilities, interests and informed  
20 choice of that person; provided that "vocational  
21 rehabilitation" does not include services for the blind.

22 SECTION 3. [NEW MATERIAL] VOCATIONAL REHABILITATION  
23 DIVISION CREATED--DIRECTOR.--

24 A. The "vocational rehabilitation division" is  
25 created in the department.

.206923.1

underscoring material = new  
~~[bracketed material] = delete~~

1           B. The secretary of workforce solutions shall  
2 appoint a director of the division to be known as the "director  
3 of vocational rehabilitation".

4           SECTION 4. [NEW MATERIAL] VOCATIONAL REHABILITATION

5 DIVISION--POWERS--DUTIES.--The division shall:

6           A. provide vocational rehabilitation to qualified  
7 persons with disabilities;

8           B. administer any state plan or federal aid funds  
9 relating to vocational rehabilitation;

10          C. cooperate and make agreements with public or  
11 private agencies to establish or to maintain a vocational  
12 rehabilitation program;

13          D. enter into reciprocal agreements with other  
14 states to provide vocational rehabilitation;

15          E. accept gifts or grants to be used for vocational  
16 rehabilitation;

17          F. enforce rules for the administration of laws  
18 relating to vocational rehabilitation;

19          G. conduct research and compile statistics relating  
20 to vocational rehabilitation;

21          H. ensure that behavioral health services,  
22 including mental health and substance abuse services, provided,  
23 contracted for or approved are in compliance with the  
24 requirements of Section 9-7-6.4 NMSA 1978; and

25          I. collaborate with the New Mexico statewide

.206923.1

underscored material = new  
[bracketed material] = delete

1 independent living council and through the state plan for  
2 independent living identify the designated state agency to  
3 administer the independent living services program and to work  
4 to execute the transition for fiscal year 2019.

5 SECTION 5. [NEW MATERIAL] VOCATIONAL REHABILITATION--  
6 STATE GOVERNING AUTHORITY.--

7 A. The division is the governing authority and  
8 shall establish policies for the conduct of all programs of the  
9 state and state plans established relating to vocational  
10 rehabilitation, unless otherwise provided by law.

11 B. The division is the sole agency of the state for  
12 the administration or for the supervision of the administration  
13 of any state plan relating to vocational rehabilitation, or for  
14 any federal aid funds, except as may otherwise be provided by  
15 law.

16 SECTION 6. [NEW MATERIAL] STATE AGENCY FOR VOCATIONAL  
17 REHABILITATION--AUTHORITY.--The division is the sole agency of  
18 the state for the administration or the supervision of the  
19 administration of any federal aid funds pertaining to  
20 vocational rehabilitation. The division may:

21 A. enter into an agreement with the appropriate  
22 federal agency to procure for the state the benefits of the  
23 federal statute;

24 B. establish a state plan, if required by the  
25 federal statute, that meets the requirements of the federal

.206923.1

underscored material = new  
[bracketed material] = delete

1 statute to qualify the state for the benefits of the federal  
2 statute;

3 C. provide for reports to be made to the federal  
4 agency as may be required;

5 D. provide for reports to be made to the division  
6 from agencies receiving federal aid funds;

7 E. make surveys and studies in cooperation with  
8 other agencies to determine the needs of the state in the areas  
9 where the federal aid funds are to be applied;

10 F. establish standards to which agencies must  
11 conform in receiving federal aid funds; and

12 G. give technical advice and assistance to any  
13 agency in connection with that agency obtaining federal aid  
14 funds.

15 SECTION 7. [NEW MATERIAL] CUSTODY OF FUNDS--BUDGETS--  
16 DISBURSEMENTS.--

17 A. The state treasurer shall be the custodian of  
18 all federal aid funds for vocational rehabilitation. The state  
19 treasurer shall hold these funds in separate accounts according  
20 to the purposes of the funds.

21 B. All state funds, federal aid funds or grants to  
22 the state relating to vocational rehabilitation shall be  
23 budgeted and accounted for as provided by law and by the rules  
24 of the department of finance and administration. These funds  
25 or grants shall be disbursed by warrants of the department of

.206923.1

underscored material = new  
[bracketed material] = delete

1 finance and administration on vouchers issued by the director  
2 or the director's authorized representative.

3 C. All federal aid funds received by the state to  
4 be used for vocational rehabilitation programs may be expended  
5 in any succeeding year from the year received.

6 SECTION 8. [NEW MATERIAL] VOCATIONAL REHABILITATION--  
7 ELIGIBILITY.--Vocational rehabilitation shall be provided to  
8 any person with a disability who is a resident of the state at  
9 the time of filing an application for vocational rehabilitation  
10 and who:

11 A. qualifies for eligibility under a vocational  
12 rehabilitation program established by the state; or

13 B. qualifies for eligibility under the terms of an  
14 agreement that the state has with the federal government or  
15 with another state.

16 SECTION 9. [NEW MATERIAL] THIRD-PARTY LIABILITY.--

17 A. The division shall make reasonable efforts to  
18 ascertain any legal liability of third parties who are or may  
19 be liable to pay all or part of the cost of rehabilitation  
20 services of an applicant or client of vocational  
21 rehabilitation.

22 B. When the division provides vocational  
23 rehabilitation services to a qualified person with a  
24 disability, the division is subrogated to any right of that  
25 person against a third party for recovery of costs incurred.

.206923.1

1           SECTION 10.   ~~[NEW MATERIAL]~~ HEARINGS.--

2           A.   An opportunity for a fair hearing shall be  
3 provided for any person with a disability applying for or  
4 receiving vocational rehabilitation who is aggrieved by any  
5 action or inaction of the division or the director.

6           B.   The division shall adopt rules for the conduct  
7 of hearings pursuant to this section.

8           SECTION 11.   ~~[NEW MATERIAL]~~ NONTRANSFERABLE OR  
9 NONASSIGNABLE RIGHTS.--The rights of a person with a disability  
10 under the provisions of any state law relating to vocational  
11 rehabilitation are not transferable or assignable in law or in  
12 equity.

13           SECTION 12.   ~~[NEW MATERIAL]~~ LIMITATIONS ON POLITICAL  
14 ACTIVITIES.--

15           A.   A person engaged in administering any vocational  
16 rehabilitation program pursuant to the Vocational  
17 Rehabilitation Act shall not:

18                   (1) use the person's official authority or  
19 influence to permit the use of the vocational rehabilitation  
20 program to interfere with any public election or partisan  
21 political campaign;

22                   (2) take any active part in the management of  
23 a political campaign or participate in any political activity  
24 beyond the person's constitutional rights of voting and of free  
25 speech; or

.206923.1

underscored material = new  
~~[bracketed material] = delete~~

1 (3) be required to contribute or render  
2 service, assistance, subscription, assessment or contribution  
3 for any political purpose.

4 B. Any person violating the provisions of this  
5 section shall be subject to discharge or suspension.

6 SECTION 13. [NEW MATERIAL] ADMISSION TO STATE EDUCATIONAL  
7 INSTITUTIONS--EXEMPTION FROM CERTAIN FEES.--Upon written  
8 request of the division, all state educational institutions  
9 shall accept for admission, without any charge for any fees  
10 except tuition charges, any person with a disability who meets  
11 the standards of the institution.

12 SECTION 14. [NEW MATERIAL] TRANSFER OF FUNCTIONS,  
13 PERSONNEL, MONEY, APPROPRIATIONS, PROPERTY, CONTRACTUAL  
14 OBLIGATIONS AND STATUTORY REFERENCES.--

15 A. On the effective date of this act, all  
16 functions, personnel, money, appropriations, records,  
17 furniture, equipment, supplies and other property of the  
18 vocational rehabilitation division of the public education  
19 department are transferred to the vocational rehabilitation  
20 division of the workforce solutions department.

21 B. On the effective date of this act, all  
22 contractual obligations of the vocational rehabilitation  
23 division of the public education department are binding on the  
24 vocational rehabilitation division of the workforce solutions  
25 department.

.206923.1



underscored material = new  
[bracketed material] = delete

1 C. On the effective date of this act, all  
2 references in the law to the vocational rehabilitation division  
3 of the public education department shall be deemed to be  
4 references to the vocational rehabilitation division of the  
5 workforce solutions department.

6 SECTION 15. Section 9-7-6.4 NMSA 1978 (being Laws 2004,  
7 Chapter 46, Section 8, as amended) is amended to read:

8 "9-7-6.4. INTERAGENCY BEHAVIORAL HEALTH PURCHASING  
9 COLLABORATIVE.--

10 A. There is created the "interagency behavioral  
11 health purchasing collaborative", consisting of the secretaries  
12 of aging and long-term services; Indian affairs; human  
13 services; health; corrections; children, youth and families;  
14 finance and administration; workforce solutions; public  
15 education; and transportation; the governor's health policy  
16 coordinator; and the directors of the administrative office of  
17 the courts, the New Mexico mortgage finance authority, the  
18 governor's commission on disability, the developmental  
19 disabilities planning council, the [~~instructional support and~~  
20 vocational rehabilitation division of the [~~public education~~  
21 ~~department~~] workforce solutions department and the New Mexico  
22 health policy commission [~~and the governor's health policy~~  
23 ~~coordinator~~], or their designees. The collaborative shall be  
24 chaired by the secretary of human services with the respective  
25 secretaries of health and children, youth and families

.206923.1

underscoring material = new  
~~[bracketed material] = delete~~

1 alternating annually as co-chairs.

2 B. The collaborative shall meet regularly and at  
3 the call of either co-chair and shall:

4 (1) identify behavioral health needs  
5 statewide, with an emphasis on that hiatus between needs and  
6 services set forth in the department of health's gap analysis  
7 and in ongoing needs assessments and develop a master plan for  
8 statewide delivery of services;

9 (2) give special attention to regional  
10 differences, including cultural, rural, frontier, urban and  
11 border issues;

12 (3) inventory all expenditures for behavioral  
13 health, including mental health and substance abuse;

14 (4) plan, design and direct a statewide  
15 behavioral health system, ensuring both availability of  
16 services and efficient use of all behavioral health funding,  
17 taking into consideration funding appropriated to specific  
18 affected departments; and

19 (5) contract for operation of one or more  
20 behavioral health entities to ensure availability of services  
21 throughout the state.

22 C. The plan for delivery of behavioral health  
23 services shall include specific service plans to address the  
24 needs of infants, children, adolescents, adults and seniors, as  
25 well as to address workforce development and retention and

.206923.1

underscored material = new  
[bracketed material] = delete

1 quality improvement issues. The plan shall be revised every  
2 two years and shall be adopted by the department of health as  
3 part of the statewide health plan.

4 D. The plan shall take the following principles  
5 into consideration, to the extent practicable and within  
6 available resources:

7 (1) services should be individually centered  
8 and family-focused based on principles of individual capacity  
9 for recovery and resiliency;

10 (2) services should be delivered in a  
11 culturally responsive manner in a home- or community-based  
12 setting, where possible;

13 (3) services should be delivered in the least  
14 restrictive and most appropriate manner;

15 (4) individualized service planning and case  
16 management should take into consideration individual and family  
17 circumstances, abilities and strengths and be accomplished in  
18 consultation with appropriate family members, caregivers and  
19 other persons critical to the individual's life and well-being;

20 (5) services should be coordinated,  
21 accessible, accountable and of high quality;

22 (6) services should be directed by the  
23 individual or family served to the extent possible;

24 (7) services may be consumer- or family-  
25 provided, as defined by the collaborative;

.206923.1

underscored material = new  
[bracketed material] = delete

1 (8) services should include behavioral health  
2 promotion, prevention, early intervention, treatment and  
3 community support; and

4 (9) services should consider regional  
5 differences, including cultural, rural, frontier, urban and  
6 border issues.

7 E. The collaborative shall seek and consider  
8 suggestions of Native American representatives from Indian  
9 nations, tribes and pueblos and the urban Indian population,  
10 located wholly or partially within New Mexico, in the  
11 development of the plan for delivery of behavioral health  
12 services.

13 F. Pursuant to the State Rules Act, the  
14 collaborative shall adopt rules through the human services  
15 department for:

16 (1) standards of delivery for behavioral  
17 health services provided through contracted behavioral health  
18 entities, including:

- 19 (a) quality management and improvement;
- 20 (b) performance measures;
- 21 (c) accessibility and availability of  
22 services;
- 23 (d) utilization management;
- 24 (e) credentialing of providers;
- 25 (f) rights and responsibilities of

underscoring material = new  
~~[bracketed material] = delete~~

1 consumers and providers;

2 (g) clinical evaluation and treatment  
3 and supporting documentation; and

4 (h) confidentiality of consumer records;  
5 and

6 (2) approval of contracts and contract  
7 amendments by the collaborative, including public notice of the  
8 proposed final contract.

9 G. The collaborative shall, through the human  
10 services department, submit a separately identifiable  
11 consolidated behavioral health budget request. The  
12 consolidated behavioral health budget request shall account for  
13 requested funding for the behavioral health services program at  
14 the human services department and any other requested funding  
15 for behavioral health services from agencies identified in  
16 Subsection A of this section that will be used pursuant to  
17 Paragraph (5) of Subsection B of this section. Any contract  
18 proposed, negotiated or entered into by the collaborative is  
19 subject to the provisions of the Procurement Code.

20 H. The collaborative shall, with the consent of the  
21 governor, appoint a "director of the collaborative". The  
22 director is responsible for the coordination of day-to-day  
23 activities of the collaborative, including the coordination of  
24 staff from the collaborative member agencies.

25 I. The collaborative shall provide a quarterly

.206923.1

underscored material = new  
[bracketed material] = delete

1 report to the legislative finance committee on performance  
2 outcome measures. The collaborative shall submit an annual  
3 report to the legislative finance committee and the [~~interim~~]  
4 legislative health and human services committee that provides  
5 information on:

6 (1) the collaborative's progress toward  
7 achieving its strategic plans and goals;

8 (2) the collaborative's performance  
9 information, including contractors and providers; and

10 (3) the number of people receiving services,  
11 the most frequently treated diagnoses, expenditures by type of  
12 service and other aggregate claims data relating to services  
13 rendered and program operations."

14 SECTION 16. Section 9-24-4 NMSA 1978 (being Laws 2004,  
15 Chapter 27, Section 4, as amended) is amended to read:

16 "9-24-4. DEPARTMENT CREATED.--

17 A. The "public education department" is created in  
18 the executive branch. The department is a cabinet department  
19 and includes the following divisions:

20 (1) the administrative services division;

21 (2) the assessment and accountability  
22 division;

23 (3) the charter schools division;

24 (4) the educator quality division;

25 (5) the Indian education division;

.206923.1

underscored material = new  
[bracketed material] = delete

- 1 (6) the information technology division;
- 2 (7) the instructional support and vocational
- 3 education division;
- 4 (8) the program support and student
- 5 transportation division;
- 6 (9) the quality assurance and systems
- 7 integration division; and
- 8 (10) the rural education division [~~and~~
- 9 ~~(11) the vocational rehabilitation division~~].

10 B. The secretary may organize the department and  
11 divisions of the department and may transfer or merge functions  
12 between divisions and bureaus in the interest of efficiency and  
13 economy."

14 SECTION 17. Section 9-26-4 NMSA 1978 (being Laws 2007,  
15 Chapter 200, Section 4) is amended to read:

16 "9-26-4. WORKFORCE SOLUTIONS DEPARTMENT CREATED.--The  
17 "workforce solutions department" is created in the executive  
18 branch pursuant to the Executive Reorganization Act. The  
19 department is a cabinet department that includes:

- 20 A. the office of the secretary;
- 21 B. the administrative services division;
- 22 C. the business services division;
- 23 D. the labor relations division;
- 24 E. the workforce technology division; [~~and~~]
- 25 F. the workforce transition services division; and

.206923.1

underscored material = new  
[bracketed material] = delete

1                   G. the vocational rehabilitation division."

2           SECTION 18. Section 22-14-1 NMSA 1978 (being Laws 1967,  
3 Chapter 16, Section 191, as amended) is amended to read:

4           "22-14-1. DEFINITIONS.--As used in [~~Sections 22-14-2~~  
5 ~~through 22-14-16~~] Chapter 22, Article 14 NMSA 1978:

6           A. "vocational education" means vocational or  
7 technical training or retraining conducted as part of a program  
8 designed to enable [~~an individual~~] a person to engage in a  
9 remunerative occupation. Vocational education may provide but  
10 is not limited to guidance and counseling, vocational  
11 instruction, training for vocational education instructors,  
12 transportation and training material and equipment; and

13           ~~[B. "person with a disability" means a person with~~  
14 ~~a physical or mental disability that constitutes a substantial~~  
15 ~~handicap to employment but that is of such a nature that~~  
16 ~~vocational rehabilitation may be reasonably expected to enable~~  
17 ~~the person to engage in a remunerative occupation;~~

18           ~~C. "vocational rehabilitation" means services or~~  
19 ~~training necessary to enable a person with a disability to~~  
20 ~~engage in a remunerative occupation. Vocational rehabilitation~~  
21 ~~may provide but is not limited to medical or vocational~~  
22 ~~diagnosis, vocational guidance, counseling and placement,~~  
23 ~~rehabilitation training, physical restoration, transportation,~~  
24 ~~occupational licenses, customary occupational tools or~~  
25 ~~equipment, maintenance and training material and equipment; and~~

.206923.1



underscored material = new  
[bracketed material] = delete

1           D.] B. "federal aid funds" means funds, gifts or  
2 grants received by the state under any federal aid for  
3 vocational education [~~or vocational rehabilitation~~]."

4           **SECTION 19.** Section 28-11A-3 NMSA 1978 (being Laws 1981,  
5 Chapter 260, Section 3) is amended to read:

6           "28-11A-3. VOCATIONAL REHABILITATION DIVISION--PURCHASE  
7 OF TELECOMMUNICATION DEVICES FOR THE DEAF.--A telecommunication  
8 device for the deaf shall be purchased by the vocational  
9 rehabilitation division of the workforce solutions department  
10 [~~of education~~] and installed in the office of the municipal  
11 police department of any municipality with a population in  
12 excess of ten thousand inhabitants, if the division determines  
13 and verifies that at least five telecommunication devices for  
14 the deaf are in use by deaf persons in the municipality, and in  
15 the office of the county sheriff in counties not having a  
16 municipality with a population in excess of ten thousand  
17 inhabitants, if the division determines and verifies that at  
18 least five such devices are in use by deaf persons in that  
19 county."

20           **SECTION 20.** Section 28-16A-4 NMSA 1978 (being Laws 1993,  
21 Chapter 50, Section 4) is amended to read:

22           "28-16A-4. DEVELOPMENTAL DISABILITIES PLANNING COUNCIL--  
23 CREATION--MEMBERSHIP--TERMS.--

24           A. The "developmental disabilities planning  
25 council" is created in accordance with the federal

.206923.1

underscored material = new  
[bracketed material] = delete

1 Developmental Disabilities Assistance and Bill of Rights Act.  
2 The developmental disabilities planning council shall be an  
3 adjunct agency as provided in the Executive Reorganization Act.

4 B. The developmental disabilities planning council  
5 shall consist of no fewer than eighteen members, at least half  
6 of whom shall be persons with developmental disabilities or  
7 parents, immediate relatives or legal guardians of persons with  
8 developmental disabilities. The developmental disabilities  
9 planning council shall include:

10 (1) the secretary of health, or [~~his~~] the  
11 secretary's designee;

12 (2) the secretary of human services, or [~~his~~]  
13 the secretary's designee;

14 (3) the secretary of children, youth and  
15 families, or [~~his~~] the secretary's designee;

16 (4) the [~~director~~] secretary of [~~the state~~  
17 ~~agency on~~] aging and long-term services, or [~~his~~] the  
18 secretary's designee;

19 (5) [~~two directors~~] one director from the  
20 [~~state department of~~] public education [~~including the~~  
21 ~~vocational rehabilitation division~~] department;

22 (6) the director of the vocational  
23 rehabilitation division of the workforce solutions department;

24 [~~(6)~~] (7) the director of the state protection  
25 and advocacy system established pursuant to the federal

.206923.1

underscored material = new  
[bracketed material] = delete

1 Developmental Disabilities Assistance and Bill of Rights Act;  
2 [~~(7)~~] (8) representatives of institutions of  
3 post-secondary education;

4 [~~(8)~~] (9) representatives of each program  
5 established within institutions of post-secondary education  
6 pursuant to the federal Developmental Disabilities Assistance  
7 and Bill of Rights Act; and

8 [~~(9)~~] (10) representatives of local government  
9 agencies, nongovernment agencies or nonprofit groups concerned  
10 with services to persons with developmental disabilities,  
11 including a service provider.

12 C. Members, except for ex-officio members, shall be  
13 appointed by the governor for terms of three years."

14 SECTION 21. Section 28-16A-9 NMSA 1978 (being Laws 1993,  
15 Chapter 50, Section 9) is amended to read:

16 "28-16A-9. INFORMATION AND REFERRAL SYSTEM--COORDINATION  
17 AND CONTINUATION.--In order to coordinate information and  
18 referral services and eliminate the duplication of effort, the  
19 developmental disabilities planning council shall provide  
20 information and referral services for persons with  
21 disabilities, their families, providers of support and services  
22 and local and state agencies, including:

- 23 A. the human services department;
- 24 B. the department of health;
- 25 C. the [~~state department of~~] public education [~~and~~

underscored material = new  
[bracketed material] = delete

1 ~~its vocational rehabilitation division~~ department;

2 D. the vocational rehabilitation division of the  
3 workforce solutions department;

4 [~~D.~~] E. the New Mexico school for the deaf;

5 [~~E.~~] F. the New Mexico school for the blind and  
6 visually [~~handicapped~~] impaired;

7 [~~F.~~] G. the Carrie Tingley crippled children's  
8 hospital; and

9 [~~G.~~] H. the children, youth and families  
10 department."

11 SECTION 22. Section 38-9-6 NMSA 1978 (being Laws 1979,  
12 Chapter 263, Section 6, as amended) is amended to read:

13 "38-9-6. NOTICE--PROOF OF DISABILITY.--Every deaf person  
14 whose appearance at a proceeding entitles the person to an  
15 interpreter shall notify the appointing authority of the  
16 person's disability at least two weeks prior to any appearance  
17 and shall request the services of an interpreter. An  
18 appointing authority may require a person requesting the  
19 appointment of an interpreter to furnish reasonable proof of  
20 the person's disability when the appointing authority has  
21 reason to believe that the person is not so disabled.

22 Reasonable proof shall include but not be limited to a  
23 statement from a doctor, an audiologist, the vocational  
24 rehabilitation division of the [~~public education~~] workforce  
25 solutions department, the commission for deaf and hard-of-

.206923.1

underscoring material = new  
~~[bracketed material] = delete~~

1 hearing persons or a school nurse that identifies the person as  
2 deaf or as having hearing so seriously impaired as to prohibit  
3 the person from understanding voice communications."

4 SECTION 23. TEMPORARY PROVISION--RECOMPILATION.--Sections  
5 22-14-21 through 22-14-29 NMSA 1978 (being Laws 1953, Chapter  
6 163, Sections 1 through 3 and Laws 1957, Chapter 180, Sections  
7 1 through 5, as amended) are recompiled in Chapter 28, Article  
8 7 NMSA 1978.

9 SECTION 24. REPEAL.--Sections 22-14-2.1, 22-14-3.1,  
10 22-14-7 through 22-14-20 and 22-14-30 NMSA 1978 (being Laws  
11 2005, Chapter 328, Sections 2 and 4, Laws 1967, Chapter 16,  
12 Sections 196 through 199, Laws 1983, Chapter 60, Section 1,  
13 Laws 1967, Chapter 16, Sections 200 through 202 and 204 and  
14 Laws 1971, Chapter 324, Sections 5 and 4, as amended) are  
15 repealed.

16 SECTION 25. EFFECTIVE DATE.--The effective date of the  
17 provisions of this act is July 1, 2017.