

1 HOUSE BILL 240

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Kelly K. Fajardo and Gregory A. Baca and Alonzo Baldonado and  
5 Joshua Sanchez and Gail Armstrong  
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10 AN ACT

11 RELATING TO HEALTH; CLARIFYING THE DEFINITION OF "CONTRACTING  
12 HOSPITAL" IN THE HOSPITAL FUNDING ACT.  
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 4-48B-3 NMSA 1978 (being Laws 1981,  
16 Chapter 83, Section 3, as amended) is amended to read:

17 "4-48B-3. DEFINITIONS.--As used in the Hospital Funding  
18 Act:

19 A. "another political subdivision" means a  
20 political subdivision of New Mexico, including a municipality  
21 and a special hospital district organized under the Special  
22 Hospital District Act, but not including a county;

23 B. "class A county" means a county having a  
24 population of more than two hundred thousand persons according  
25 to the last federal decennial census;

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

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

1           C. "contracting hospital" means a hospital or  
2 twenty-four-hour emergency health care facility licensed as a  
3 remote location of an acute care hospital located in New Mexico  
4 that enters into a health care facilities contract with a  
5 county or counties or another political subdivision;

6           D. "county" means any county of the state;

7           E. "county commissioners" means the board of county  
8 commissioners of a county;

9           F. "county hospital" means a hospital owned by a  
10 county;

11           G. "health care facilities contract" means an  
12 agreement between a hospital or twenty-four-hour emergency  
13 health care facility licensed as a remote location of an acute  
14 care hospital and a county or counties, or between a hospital  
15 or twenty-four-hour emergency health care facility licensed as  
16 a remote location of an acute care hospital and a county or  
17 counties and another political subdivision, that provides for  
18 the payment by the county or counties of all or a portion of  
19 the proceeds of a mill levy to the hospital or twenty-four-hour  
20 emergency health care facility licensed as a remote location of  
21 an acute care hospital in exchange for the agreement by the  
22 hospital or twenty-four-hour emergency health care facility  
23 licensed as a remote location of an acute care hospital to use  
24 the funds only for nonsectarian purposes and to make available  
25 the following for the sick of the county or counties:

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underscoring material = new  
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1 (1) ~~hospital~~ facilities that admit ~~and~~ or  
2 treat patients without regard to race, sex, religion or  
3 national origin;

4 (2) ~~hospital~~ facilities that include x-ray,  
5 laboratory services and a pharmacy or drug room;

6 (3) adequate emergency equipment, personnel  
7 and procedures, including:

8 (a) a standby emergency power system;

9 (b) at least one person capable and  
10 authorized to initiate immediate lifesaving measures;

11 (c) facilities for emergency laboratory  
12 work, including, as a minimum, urinalysis, complete blood  
13 count, blood type and cross match; and

14 (d) diagnostic radiographic facilities;

15 (4) facilities, procedures and policies for  
16 prevention, control and reporting of communicable diseases,  
17 including one or more rooms for isolation of patients having or  
18 suspected of having communicable diseases;

19 (5) adequate records, including, as [~~a~~  
20 ~~minimum~~] required by law, a daily census and a register of all  
21 births, deliveries, deaths, admissions, emergency room  
22 admissions, discharges, operations, outpatients, inpatients and  
23 narcotics; and

24 (6) physical facilities, personnel, equipment  
25 and procedures that comply with the regulations promulgated by

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

1 the public health division of the department of health, if any;

2 H. "hospital governing board" means the board that  
3 governs a county hospital or the board of directors or trustees  
4 of a contracting hospital;

5 I. "mill levy" means the rate of the tax, at a rate  
6 specified in the Hospital Funding Act, in terms of dollars per  
7 thousand dollars of net taxable value of property subject to  
8 taxation within the county;

9 J. "municipality" means any city, town or village  
10 incorporated under a general act, special act or special  
11 charter; and

12 K. "equipping" or "re-equipping" means purchase or  
13 lease of property of a character subject to the allowance for  
14 depreciation under Section 167 of the federal Internal Revenue  
15 Code of 1986, as amended or renumbered, and regulations  
16 promulgated in accordance with that section."