1	SENATE BILL 1095
2	48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007
3	INTRODUCED BY
4	Cynthia Nava
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10	AN ACT
11	RELATING TO PUBLIC SCHOOLS; PROVIDING FOR DUE PROCESS
12	REIMBURSEMENT COVERAGE THROUGH THE PUBLIC SCHOOL INSURANCE
13	AUTHORITY; MAKING AN APPROPRIATION.
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	Section 1. Section 22-29-3 NMSA 1978 (being Laws 1986,
17	Chapter 94, Section 3, as amended) is amended to read:
18	"22-29-3. DEFINITIONSAs used in the Public School
19	Insurance Authority Act:
20	A. "authority" means the public school insurance
21	authority;
22	B. "board" means the board of directors of the
23	public school insurance authority;
24	C. "charter school" means a school organized as a
25	charter school pursuant to the provisions of the [ <del>1999</del> ] Charter
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1 Schools Act;

2 D. "director" means the director of the public 3 school insurance authority; 4 E. "due process reimbursement" means the 5 reimbursement of a school district's expenses for attorney fees, hearing officer fees and other reasonable expenses 6 7 incurred as a result of a due process hearing conducted 8 pursuant to the federal Individuals with Disabilities Education 9 Improvement Act provided that due process reimbursement shall be limited to forty thousand dollars (\$40,000) per claim and 10 11 one hundred twenty thousand dollars (\$120,000) per district per 12 year; and provided further that, Subsection J of this section 13 notwithstanding, due process reimbursement coverage shall be 14 extended to all school districts;

[E.] F. "educational entities" means state educational institutions as enumerated in Article 12, Section 11 of the constitution of New Mexico and other state diploma, degree-granting and certificate-granting post-secondary educational institutions and regional education cooperatives;

[F.] G. "fund" means the public school insurance fund;

[G.] H. "group health insurance" means coverage that includes life insurance, accidental death and dismemberment, medical care and treatment, dental care, eye care and other coverages as determined by the authority; .167484.1

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[H.] <u>I.</u> "risk-related coverage" means coverage that includes property and casualty, general liability, auto and fleet, workers' compensation and other casualty insurance; and

 $[\overline{I_{\cdot}}]$  <u>J.</u> "school district" means a school district as defined in Subsection [K] <u>R</u> of Section 22-1-2 NMSA 1978, excluding any school district with a student enrollment in excess of sixty thousand students."

Section 2. Section 22-29-4 NMSA 1978 (being Laws 1986, Chapter 94, Section 4) is amended to read:

"22-29-4. AUTHORITY CREATED.--There is created the "public school insurance authority", which is established to provide for group health insurance, [and] other risk-related coverage <u>and due process reimbursement</u> with the exception of the mandatory coverage provided by the risk management division on the effective date of the Public School Insurance Authority Act."

Section 3. APPROPRIATION.--One million three hundred thousand dollars (\$1,300,000) is appropriated from the general fund to the public school insurance fund for expenditure in fiscal year 2007 and subsequent fiscal years for due process reimbursements. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

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