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AN ACT

RELATING TO HEALTH; AMENDING CERTAIN DEFINITIONS IN THE  
PUBLIC HEALTH ACT.

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

Section 1. Section 24-1-2 NMSA 1978 (being Laws 1973,  
Chapter 359, Section 2, as amended) is amended to read:

"24-1-2. DEFINITIONS.--As used in the Public Health  
Act:

A. "department" or "division" means the children,  
youth and families department as to child care centers,  
residential treatment centers that serve persons up to  
twenty-one years of age, community mental health centers that  
serve only persons up to twenty-one years of age, day  
treatment centers that serve persons up to twenty-one years  
of age, shelter care homes and those outpatient facilities  
that are also community-based behavioral health facilities  
serving only persons up to twenty-one years of age and the  
department of health as to all other health facilities;

B. "director" means the secretary;

C. "person", when used without further  
qualification, means an individual or any other form of  
entity recognized by law;

D. "health facility" means a public hospital,  
profit or nonprofit private hospital, general or special

1 hospital, outpatient facility, maternity home or shelter,  
2 adult daycare facility, nursing home, intermediate care  
3 facility, boarding home not under the control of an  
4 institution of higher learning, child care center, shelter  
5 care home, diagnostic and treatment center, rehabilitation  
6 center, infirmary, community mental health center that serves  
7 both children and adults or adults only, residential  
8 treatment center that serves persons up to twenty-one years  
9 of age, community mental health center that serves only  
10 persons up to twenty-one years of age and day treatment  
11 center that serves persons up to twenty-one years of age or a  
12 health service organization operating as a freestanding  
13 hospice or a home health agency. The designation of these  
14 entities as health facilities is only for the purposes of  
15 definition in the Public Health Act and does not imply that a  
16 free-standing hospice or a home health agency is considered a  
17 health facility for the purposes of other provisions of state  
18 or federal laws. "Health facility" also includes those  
19 facilities that, by federal regulation, must be licensed by  
20 the state to obtain or maintain full or partial, permanent or  
21 temporary federal funding. It does not include the offices  
22 and treatment rooms of licensed private practitioners; and

23 E. "secretary" means the secretary of children,  
24 youth and families as to child care centers, residential  
25 treatment centers that serve persons up to twenty-one

1 years of age, community mental health centers that serve only  
2 persons up to twenty-one years of age, day treatment centers  
3 that serve persons up to twenty-one years of age, shelter care  
4 homes and those outpatient facilities that are also community-  
5 based behavioral health facilities serving only persons up to  
6 twenty-one years of age and the secretary of health as to all  
7 other health facilities."

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