

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

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

SENATE BILL 438

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Gerald Ortiz y Pino

AN ACT

RELATING TO BEHAVIORAL HEALTH; ENACTING THE SAFE HOUSE ACT;
ESTABLISHING THE SAFE HOUSE AND CRISIS FUND; MAKING AN
APPROPRIATION.

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

SECTION 1. SHORT TITLE.--This act may be cited as the
"Safe House Act".

SECTION 2. PURPOSES.--The purposes of the Safe House Act
are to:

A. offer early intervention services to ensure that
a person who needs behavioral health support but does not need
hospitalization has access to an appropriate level of such
support; and

B. ensure that persons with behavioral health needs
are cared for in the least restrictive environment.

1 **SECTION 3. DEFINITIONS.--**As used in the Safe House Act:

2 A. "department" means the human services
3 department;

4 B. "early intervention services" means services
5 designed to provide a person, who has behavioral health
6 disorders and who is experiencing symptoms, a safe, supportive
7 and affirming home-like residence where the person may
8 integrate the meaning of what the person is experiencing and
9 regain equilibrium and the ability to relate effectively to
10 other people. "Early intervention services" includes peer
11 support with an emphasis on relationship-building;

12 C. "peer support specialist" means a person who has
13 previously experienced urgent behavioral health needs and has
14 recovered and who has successfully completed training
15 qualifying that person to work with a resident;

16 D. "resident" means an adult who has experienced
17 urgent behavioral health needs but does not require
18 hospitalization and who voluntarily resides in a safe house;
19 and

20 E. "safe house" means a home-like environment that
21 offers early intervention services by housing no more than six
22 voluntary residents who engage in routine activities of daily
23 living and learn about tools for recovery through experience
24 and peer support.

25 **SECTION 4. PEER SUPPORT TRAINING.--**The department shall

.184999.1

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

1 provide by rule for training and credentialing of a peer
2 support specialist; provided that each peer support specialist
3 shall personally have experienced urgent behavioral health
4 needs and shall be certified as having completed training in
5 de-escalation techniques, cultural competency, race relations,
6 the recovery process and avoidance of aggressive confrontation
7 prior to working at a safe house.

8 SECTION 5. SAFE HOUSE PROGRAM--ELIGIBILITY.--

9 A. The department shall administer two safe houses,
10 one in an urban setting and one in a rural community.

11 B. A safe house authorized by this section shall
12 offer early intervention services that:

13 (1) serve residents who are eligible for the
14 services and not eligible for federal medical assistance
15 programs;

16 (2) are staffed twenty-four hours a day by one
17 or more peer support specialists;

18 (3) employ a licensed clinician full time and
19 a psychiatric consultant at least part time;

20 (4) include peer support in helping residents
21 perform daily public living skills and reentry into independent
22 living;

23 (5) offer a mix of therapeutic services,
24 including nontraditional tools for wellness and traditional
25 behavioral health services;

.184999.1

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

1 (6) accept a resident, funds permitting, on a
2 first-come, first-served basis;

3 (7) use interpersonal relationship and
4 connection to the community as primary modalities of care;

5 (8) base length of stay on the psychological
6 state of residents, that psychological state referring to their
7 ability and willingness to live in more independent settings
8 and to resume their desired roles in the community; and

9 (9) are a part of a system of care continuum
10 to include, but not be limited to, housing options such as the
11 behavioral health collaborative's supportive housing
12 initiatives or a local housing first program and each
13 community's array of support services, such as those provided
14 by the department's comprehensive community support services
15 program.

16 C. As early as possible, but within one week of a
17 resident's departure from a safe house, the resident shall be
18 introduced by the department to a service provider who may
19 coordinate care and otherwise provide support for the resident
20 after the safe house stay ends.

21 D. As part of the planning and development of the
22 safe houses, the department shall consult with community
23 stakeholders, including those who use the behavioral health
24 system and their family members, providers of behavioral health
25 services, whether traditional or alternative, advocates, local

.184999.1

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

1 collaboratives, the behavioral health planning council and
2 others with subject matter expertise.

3 SECTION 6. SAFE HOUSE AND CRISIS FUND--CREATED--

4 PURPOSE.--The "safe house and crisis fund" is created in the
5 state treasury. The fund shall consist of appropriations,
6 gifts, grants and donations. Balances in the fund at the end
7 of a fiscal year shall not revert to the general fund. The New
8 Mexico interagency behavioral health purchasing collaborative
9 shall administer the fund for the purpose of providing early
10 intervention services to persons with urgent behavioral health
11 needs. Disbursements may be made on warrants drawn by the
12 secretary of finance and administration upon vouchers signed by
13 the secretary of health.