

AN ACT

RELATING TO DISABILITY; ENACTING A NEW SECTION OF CHAPTER 27 NMSA 1978 TO PLACE ADMINISTRATION OF THE BRAIN INJURY SERVICES FUND WITH THE HUMAN SERVICES DEPARTMENT; ENACTING A TEMPORARY PROVISION TO TRANSFER THE BRAIN INJURY SERVICES FUND AND ALL OF ITS PROPERTY, CONTRACTS AND REFERENCES IN LAW TO THE HUMAN SERVICES DEPARTMENT; REPEALING A SECTION OF THE PUBLIC HEALTH ACT.

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

SECTION 1. A new section of Chapter 27 NMSA 1978 is enacted to read:

"BRAIN INJURY SERVICES FUND CREATED.--

A. There is created in the state treasury the "brain injury services fund". The fund shall be invested in accordance with the provisions of Section 6-10-10 NMSA 1978, and all income earned on the fund shall be credited to the fund.

B. The brain injury services fund shall be used to institute and maintain a statewide brain injury services program designed to increase the independence of persons with traumatic brain injuries.

C. The human services department shall adopt all rules, regulations and policies necessary to administer a statewide brain injury services program. The human services

department shall coordinate with and seek advice from the brain injury advisory council to ensure that the statewide brain injury services program is appropriate for persons with traumatic brain injuries.

D. All money credited to the brain injury services fund shall be appropriated to the human services department for the purpose of carrying out the provisions of this section and shall not revert to the general fund.

E. Disbursements from the brain injury services fund shall be made upon warrant drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of human services."

SECTION 2. TEMPORARY PROVISION--BRAIN INJURY SERVICES FUND--TRANSFER OF PROPERTY, CONTRACTS AND REFERENCES IN LAW.--
On July 1, 2013:

A. the brain injury services fund and all appropriations, money, records, equipment, supplies and other property of the aging and long-term services department directly related to the brain injury services fund or the provision of a statewide brain injury services program shall be transferred to the human services department;

B. all contracts directly related to the programs listed in Subsection A of this section currently binding and effective upon the aging and long-term services department or on the brain injury services fund shall be binding and

effective upon the human services department; and

C. all references in law to the brain injury services fund or the statewide brain injury services program shall be deemed to be references to the brain injury services fund and the statewide brain injury services program established and maintained by the human services department.

SECTION 3. REPEAL.--Section 24-1-24 NMSA 1978 (being Laws 1997, Chapter 242, Section 7 and Laws 1997, Chapter 247, Section 4) is repealed.