

AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING A SECTION OF THE PUBLIC HEALTH ACT AND ENACTING A NEW SECTION OF THE PUBLIC ASSISTANCE ACT TO REQUIRE MEDICAL ASSISTANCE REIMBURSEMENT FOR CRISIS TRIAGE CENTER SERVICES; ENACTING A TEMPORARY PROVISION TO REQUIRE DEPARTMENT OF HEALTH RULEMAKING.

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 by Laws 2007, Chapter 325, Section 6 and by Laws 2007, Chapter 326, Section 1) is amended to read:

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

A. "crisis triage center" means a health facility that:

- (1) is licensed by the department of health;
- (2) is not physically part of an inpatient hospital or included in a hospital's license; and
- (3) provides stabilization of behavioral health crises, including short-term residential stabilization;

B. "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, unless otherwise designated;

C. "director" means the secretary;

D. "health facility" means a public hospital, profit or nonprofit private hospital, general or special hospital, outpatient facility, crisis triage center, maternity home or shelter, adult daycare facility, nursing home, intermediate care facility, boarding home not under the control of an institution of higher learning, child care center, shelter care home, diagnostic and treatment center, rehabilitation center, infirmary, community mental health center that serves both children and adults or adults only, residential treatment center that serves persons up to twenty-one years of age, community mental health center that serves only persons up to twenty-one years of age and day treatment center that serves persons up to twenty-one years of age or a health service organization operating as a freestanding hospice or a home health agency. The designation of these entities as health facilities is only for the purposes of definition in the Public Health Act and does not imply that a

freestanding hospice or a home health agency is considered a health facility for the purposes of other provisions of state or federal laws. "Health facility" also includes those facilities that, by federal regulation, must be licensed by the state to obtain or maintain full or partial, permanent or temporary federal funding. It does not include the offices and treatment rooms of licensed private practitioners;

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

F. "secretary" means the secretary of children, youth and families 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 secretary of health as to all other health facilities."

SECTION 2. A new section of the Public Assistance Act is enacted to read:

"CRISIS TRIAGE CENTER--MEDICAL ASSISTANCE
REIMBURSEMENT.--

A. In accordance with federal law, the secretary

shall adopt and promulgate rules to establish a reimbursement rate for services provided to recipients of state medical assistance at a crisis triage center.

B. As used in this section, "crisis triage center" means a health facility that:

- (1) is licensed by the department of health;
- (2) is not physically part of an inpatient hospital or included in a hospital's license; and
- (3) provides stabilization of behavioral health crises, including short-term residential stabilization."

SECTION 3. TEMPORARY PROVISION--CRISIS TRIAGE CENTERS--
DEPARTMENT OF HEALTH RULEMAKING.--By July 1, 2016, the department of health shall adopt and promulgate rules relating to the licensure of crisis triage centers pursuant to this act.
