

February 15, 2017

SENATE FLOOR AMENDMENT number _____ to SENATE BILL 84

Amendment sponsored by Senator Gerald Ortiz y Pino

1. On page 3, line 16, after the semicolon, strike "and".

2. On page 3, line 19, strike the period and insert in lieu thereof "; and".

3. On page 3, between lines 19 and 20, insert the following new paragraph:

"(6) appoint members of the behavioral health planning council as required pursuant to Section 24-1-28 NMSA 1978."

4. On page 7, between lines 12 and 13, insert the following new section:

"SECTION 2. Section 24-1-28 NMSA 1978 (being Laws 2004, Chapter 46, Section 2, as amended) is amended to read:

"24-1-28. BEHAVIORAL HEALTH PLANNING COUNCIL CREATED--POWERS AND DUTIES--MEMBERSHIP.--There is created the "behavioral health planning council".

A. The council shall consist of the following members, all of whom shall be appointed by and serve at the pleasure of the [governor] interagency behavioral health purchasing collaborative:

(1) consumers of behavioral health services and consumers of substance abuse services, as follows:

(a) adults with serious mental illness;

- (b) seniors;
- (c) family members of adults with serious mental illness and of children with serious emotional or neurological disorders; and
- (d) persons with co-occurring disorders;

- (2) Native American representatives from a pueblo, an Apache tribe, the Navajo Nation and an urban Native American population;

- (3) providers;

- (4) state agency representation from agencies responsible for:

- (a) adult mental health and substance abuse;
- (b) children's mental health and substance abuse;
- (c) education;
- (d) vocational rehabilitation;
- (e) criminal justice;
- (f) juvenile justice;
- (g) housing;
- (h) medical and social services;
- (i) health policy planning;
- (j) developmental disabilities planning; and

(k) disabilities issues and advocacy;

(5) such other members as the [governor] [interagency behavioral health purchasing collaborative may appoint to ensure appropriate cultural and geographic representation; and

(6) advocates.

B. Providers and state agency representatives together may not constitute more than forty-nine percent of the council membership.

C. The council shall:

(1) advocate for adults, children and adolescents with serious mental illness or severe emotional, neurological and behavioral disorders, as well as those with mental illness or emotional problems, including substance abuse and co-occurring disorders;

(2) report annually to the governor and the legislature on the adequacy and allocation of mental health services throughout the state;

(3) encourage and support the development of a comprehensive, integrated, community-based behavioral health system of care, including mental health and substance abuse services, and services for persons with co-occurring disorders;

(4) advise state agencies responsible for behavioral health services for children and adults, as those agencies are charged in Section 9-7-6.4 NMSA 1978;

(5) meet regularly and at the call of the chair, who shall be selected by the council membership from among its members;

(6) establish subcommittees, to meet at least quarterly, as follows:

(a) a medical subcommittee, chaired by the secretary of human services or a designee, which may also serve as a subcommittee of the medical advisory committee;

(b) a child and adolescent subcommittee, chaired by the secretary of children, youth and families or a designee;

(c) an adult subcommittee, chaired by the secretary of health or a designee;

(d) a substance abuse subcommittee, chaired by the secretary of health or a designee, which shall include DWI issues and shall include representation from local DWI councils;

(e) a Native American subcommittee, chaired by the secretary of Indian affairs or a designee; and

(f) other subcommittees as may be established by the chair of the council to address specific issues. All subcommittees may include nonvoting members appointed by the chair for purposes of providing expertise necessary to the charge of the respective subcommittee;

(7) review and make recommendations for the comprehensive mental health state block grant and the substance abuse block grant applications, the state plan for Medicaid services and any other plan or application for federal or foundation funding for behavioral health services; and

(8) replace the governor's mental health planning council and act in accordance with Public Law 102-321 of the federal Public Health Service Act.***

State of New Mexico
Senate

FIFTY-THIRD LEGISLATURE
FIRST SESSION

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5. Renumber the succeeding section accordingly.

Gerald Ortiz y Pino

Adopted _____ (Chief Clerk)
Not Adopted _____ (Chief Clerk)

_____ Date

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