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HOUSE BILL 160

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Sheryl Williams Stapleton

AN ACT

RELATING TO BEHAVIORAL HEALTH; PROVIDING FOR INTERVENTIONS FOR  
NONVIOLENT OFFENDERS WHO HAVE BEHAVIORAL HEALTH DIAGNOSES IN  
WAYS LIKELY TO REDUCE RECIDIVISM, DETENTION AND INCARCERATION.

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

**SECTION 1.** Section 9-8-7.1 NMSA 1978 (being Laws 2007,  
Chapter 325, Section 4) is amended to read:

"9-8-7.1. BEHAVIORAL HEALTH SERVICES DIVISION--POWERS AND  
DUTIES OF THE HUMAN SERVICES DEPARTMENT.--Subject to  
appropriation, the department shall:

A. contract for behavioral health treatment and  
support services, including mental health, alcoholism and other  
substance abuse services;

B. establish standards for the delivery of  
behavioral health services, including quality management and

underscored material = new  
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1 improvement, performance measures, accessibility and  
2 availability of services, utilization management, credentialing  
3 and recredentialing, rights and responsibilities of providers,  
4 preventive behavioral health services, clinical treatment and  
5 evaluation and the documentation and confidentiality of client  
6 records;

7 C. ensure that all behavioral health services,  
8 including mental health and substance abuse services, that are  
9 provided, contracted for or approved are in compliance with the  
10 requirements of Section 9-7-6.4 NMSA 1978;

11 D. assume responsibility for and implement adult  
12 mental health and substance abuse services in the state in  
13 coordination with the children, youth and families department;

14 E. for nonviolent adult and juvenile offenders who  
15 have behavioral health diagnoses, create, implement and  
16 continually evaluate the effectiveness of a framework for  
17 targeted, individualized interventions that address those  
18 persons' behavioral health needs and connect them to resources  
19 and services that reduce the likelihood of recidivism,  
20 detention and incarceration, such as supportive housing, public  
21 assistance, medical assistance, behavioral health therapy and  
22 employment training;

23 [~~E.~~] F. establish criteria for determining  
24 individual eligibility for behavioral health services; and

25 [~~F.~~] G. maintain a management information system in

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underscored material = new  
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1 accordance with standards for reporting clinical and fiscal  
2 information."

3 SECTION 2. EFFECTIVE DATE.--The effective date of the  
4 provisions of this act is July 1, 2018.

