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SENATE BILL 220

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

INTRODUCED BY

Mary Kay Papen

AN ACT

RELATING TO PUBLIC HEALTH; CLARIFYING THE DEFINITION OF "CRISIS TRIAGE CENTER".

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) is amended to read:

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

A. "condition of public health importance" means an infection, a disease, a syndrome, a symptom, an injury or other threat that is identifiable on an individual or community level and can reasonably be expected to lead to adverse health effects in the community;

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

(1) is licensed by the department of health;

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1 and

2 [~~(2) is not physically part of an inpatient~~  
3 ~~hospital or included in a hospital's license; and~~

4 ~~(3)] (2) provides stabilization of behavioral~~

5 health crises [~~including~~] and may include residential and

6 short-term residential stabilization;

7 C. "department" means:

8 (1) the department of health; or

9 (2) the children, youth and families

10 department as to child care centers, residential treatment

11 centers that serve persons up to twenty-one years of age,

12 community mental health centers that serve only persons up to

13 twenty-one years of age, day treatment centers that serve

14 persons up to twenty-one years of age, shelter care homes and

15 those outpatient facilities that are also community-based

16 behavioral health facilities serving only persons up to twenty-

17 one years of age;

18 D. "director" means the secretary;

19 E. "health care provider" means an individual

20 licensed to provide health care in the ordinary course of

21 business, except as otherwise defined in the Public Health Act;

22 F. "health facility" means a public hospital,

23 profit or nonprofit private hospital, general or special

24 hospital, outpatient facility, crisis triage center,

25 freestanding birth center, adult daycare facility, nursing

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1 home, intermediate care facility, assisted living facility,  
2 boarding home not under the control of an institution of higher  
3 learning, child care center, shelter care home, diagnostic and  
4 treatment center, rehabilitation center, infirmary, community  
5 mental health center that serves both children and adults or  
6 adults only, residential treatment center that serves persons  
7 up to twenty-one years of age, community mental health center  
8 that serves only persons up to twenty-one years of age and day  
9 treatment center that serves persons up to twenty-one years of  
10 age or a health service organization operating as a  
11 freestanding hospice or a home health agency. The designation  
12 of these entities as health facilities is only for the purposes  
13 of definition in the Public Health Act and does not imply that  
14 a freestanding hospice or a home health agency is considered a  
15 health facility for the purposes of other provisions of state  
16 or federal laws. "Health facility" also includes those  
17 facilities that, by federal regulation, must be licensed by the  
18 state to obtain or maintain full or partial, permanent or  
19 temporary federal funding. It does not include the offices and  
20 treatment rooms of licensed private practitioners;

21 G. "screening" means a preliminary procedure,  
22 including a test or examination, that:

- 23 (1) may require further investigation; and  
24 (2) can identify individuals with unrecognized  
25 health risk factors or asymptomatic disease conditions in

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1 populations;

2 H. "secretary" means:

3 (1) the secretary of health; or

4 (2) the secretary of children, youth and  
5 families as to child care centers, residential treatment  
6 centers that serve persons up to twenty-one years of age,  
7 community mental health centers that serve only persons up to  
8 twenty-one years of age, day treatment centers that serve  
9 persons up to twenty-one years of age, shelter care homes and  
10 those outpatient facilities that are also community-based  
11 behavioral health facilities serving only persons up to twenty-  
12 one years of age; and

13 I. "test" means any diagnostic or investigative  
14 analysis or medical procedure that determines the presence of,  
15 absence of or exposure to a condition of public health  
16 importance or its precursor in an individual."

17 SECTION 2. Section 27-2-12.20 NMSA 1978 (being Laws 2015,  
18 Chapter 61, Section 2) is amended to read:

19 "27-2-12.20. CRISIS TRIAGE CENTER--MEDICAL ASSISTANCE  
20 REIMBURSEMENT.--

21 A. In accordance with federal law, the secretary  
22 shall adopt and promulgate rules to establish a reimbursement  
23 rate for services provided to recipients of state medical  
24 assistance at a crisis triage center.

25 B. As used in this section, "crisis triage center"

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means a health facility that:

(1) is licensed by the department of health;

and

~~[(2) is not physically part of an inpatient hospital or included in a hospital's license; and~~

~~(3)]~~ (2) provides stabilization of behavioral health crises ~~[including]~~ and may include residential and short-term residential stabilization."