

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 126

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Mary Kay Papen

ENDORSED BY THE NEW MEXICO FINANCE AUTHORITY  
OVERSIGHT COMMITTEE

AN ACT

RELATING TO PUBLIC FINANCE; MAKING CERTAIN LOCAL GOVERNMENT-  
OWNED PRIMARY CARE CLINICS ELIGIBLE FOR PRIMARY CARE CAPITAL  
FUNDING; ALLOWING THE NEW MEXICO FINANCE AUTHORITY TO RECEIVE  
COMPENSATION FROM THE PRIMARY CARE CAPITAL FUND FOR ITS COSTS  
OF ADMINISTERING THE PRIMARY CARE CAPITAL FUNDING ACT; MAKING  
AN APPROPRIATION.

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

**SECTION 1.** Section 24-1C-3 NMSA 1978 (being Laws 1994,  
Chapter 62, Section 9, as amended) is amended to read:

"24-1C-3. DEFINITIONS.--As used in the Primary Care  
Capital Funding Act:

A. "authority" means the New Mexico finance  
authority;

B. "capital project" means repair, renovation or  
.211803.3SA

underscoring material = new  
~~[bracketed material] = delete~~

underscored material = new  
[bracketed material] = delete

1 construction of a facility; purchase of land; acquisition of  
2 capital equipment of a long-term nature; or acquisition of  
3 capital equipment to be used in the delivery of primary care,  
4 telehealth or hospice services;

5 C. "department" means the department of health;

6 D. "eligible entity" means:

7 (1) a community-based nonprofit primary care  
8 clinic or hospice that operates in a rural or other health care  
9 underserved area of the state, that is a 501(c)(3) nonprofit  
10 corporation for federal income tax purposes and that is  
11 eligible for funding pursuant to the Rural Primary Health Care  
12 Act;

13 (2) a school-based health center that operates  
14 in a public school district and that meets department  
15 requirements or that is funded by the federal department of  
16 health and human services; ~~[or]~~

17 (3) a primary care clinic that operates in a  
18 rural or other health care underserved area of the state, that  
19 is owned by a county or municipality and that meets department  
20 requirements for eligibility; or

21 ~~[(3)]~~ (4) a telehealth site that is operated  
22 by an ~~[eligible]~~ entity ~~[pursuant to Paragraphs (1) and (2) of]~~  
23 described in this subsection;

24 E. "fund" means the primary care capital fund; and

25 F. "primary care" means the first level of basic or

underscored material = new  
[bracketed material] = delete

1 general health care for an individual's health needs, including  
2 diagnostic and treatment services and including services  
3 delivered at a primary care clinic, a telehealth site or a  
4 school-based health center; "primary care" includes the  
5 provision of mental health services if those services are  
6 integrated into the eligible entity's service array."

7 SECTION 2. Section 24-1C-4 NMSA 1978 (being Laws 1994,  
8 Chapter 62, Section 10, as amended) is amended to read:

9 "24-1C-4. PRIMARY CARE CAPITAL FUND--CREATION.--

10 A. The "primary care capital fund" is created as a  
11 revolving fund in the state treasury. The fund shall consist  
12 of appropriations, loan repayments, gifts, grants, donations  
13 and interest earned on investment of the fund. A separate  
14 account shall be maintained for appropriations, loan  
15 repayments, gifts, grants, donations and interest earned on  
16 investment of the account for loans to school-based health  
17 centers and telehealth sites. Money in the fund shall not  
18 revert at the end of a fiscal year.

19 B. The fund shall be administered by the authority.  
20 ~~[Administrative costs of]~~ The authority ~~[or department shall~~  
21 ~~not be paid]~~ may recover from the fund the costs of  
22 administering the fund and originating loans up to an amount  
23 equal to ten percent of original loan amounts. Money in the  
24 fund shall be expended only on warrants drawn by the secretary  
25 of finance and administration pursuant to vouchers signed by

.211803.3SA

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

the [~~director~~] chief executive officer of the authority or  
[~~his~~] the chief executive officer's authorized representative."

- 4 -