

HOUSE BILL 240

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO HEALTH; CLARIFYING THE DEFINITION OF "CONTRACTING HOSPITAL" IN THE HOSPITAL FUNDING ACT.

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

SECTION 1. Section 4-48B-3 NMSA 1978 (being Laws 1981, Chapter 83, Section 3, as amended) is amended to read:

"4-48B-3. DEFINITIONS.--As used in the Hospital Funding Act:

A. "another political subdivision" means a

.219178.2AIC February 26, 2021 (11:55am)

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political subdivision of New Mexico, including a municipality and a special hospital district organized under the Special Hospital District Act, but not including a county;

B. "class A county" means a county having a population of more than two hundred thousand persons according to the last federal decennial census;

C. "contracting hospital" means a hospital ~~HHHC~~→or ~~twenty-four-hour emergency health care facility licensed as a remote location of an acute care hospital~~←HHHC located in New Mexico ~~HHHC~~→or an emergency health care facility←HHHC that enters into a health care facilities contract with a county or counties or another political subdivision;

D. "county" means any county of the state;

E. "county commissioners" means the board of county commissioners of a county;

F. "county hospital" means a hospital owned by a county;

Hf11→~~HHHC~~→G. ~~"emergency health care facility" means a twenty-four-hour emergency health care facility that is licensed as a remote location of an acute care hospital and that is located in a class B county with a population of more than seventy-five thousand but less than eighty-five thousand according to the most recent federal decennial census;~~←HHHC←Hf11

Hf11→G. "emergency health care facility" means a

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twenty-four-hour emergency health care facility that is licensed as a remote location of an acute care hospital and that is located in a class B county:

(1) with a population of more than seventy-five thousand but less than one hundred thousand according to the most recent federal decennial census; and

(2) that has a net taxable value for rate-setting purposes for the 2020 property tax year or a subsequent property tax year of more than one billion dollars (\$1,000,000,000) but less than five billion dollars (\$5,000,000,000);

Hf11→HHHC→G.←HHHC HHHC→H.←HHHC←Hf11 Hf11→H.←Hf11

"health care facilities contract" means an agreement between a hospital or HHHC→twenty-four-hour←HHHC emergency health care facility HHHC→~~licensed as a remote location of an acute~~←HHHC HHHC→care hospital←HHHC and a county or counties, or between a hospital or HHHC→twenty-four-hour←HHHC emergency health care facility HHHC→~~licensed as~~←HHHC HHHC→~~a remote location of an acute care hospital~~←HHHC and a county or counties and another political subdivision, that provides for the payment by the county or counties of all or a portion of the proceeds of a mill levy to the hospital or HHHC→twenty-four-hour←HHHC emergency health care facility HHHC→~~licensed as a remote location of~~←HHHC HHHC→an acute care hospital←HHHC in exchange

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for the agreement by the hospital or ~~HHHC~~→twenty-
four-hour←HHHC emergency health care facility ~~HHHC~~→licensed as
a remote location of an acute care hospital←HHHC to use the
funds only for nonsectarian purposes and to make available the
following for the sick of the county or counties:

(1) [~~hospital~~] facilities that admit [~~and~~] or
treat patients without regard to race, sex, religion or
national origin;

(2) [~~hospital~~] facilities that include x-ray,
laboratory services and a pharmacy or drug room;

(3) adequate emergency equipment, personnel
and procedures, including:

(a) a standby emergency power system;

(b) at least one person capable and
authorized to initiate immediate lifesaving measures;

(c) facilities for emergency laboratory
work, including, as a minimum, urinalysis, complete blood
count, blood type and cross match; and

(d) diagnostic radiographic facilities;

(4) facilities, procedures and policies for
prevention, control and reporting of communicable diseases,
including one or more rooms for isolation of patients having or
suspected of having communicable diseases;

(5) adequate records, including, as [~~a~~
~~minimum~~] required by law, a daily census and a register of all

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births, deliveries, deaths, admissions, emergency room admissions, discharges, operations, outpatients, inpatients and narcotics; and

(6) physical facilities, personnel, equipment and procedures that comply with the regulations promulgated by the public health division of the department of health, if any;

Hf11→~~HHHC~~→H.~~←HHHC~~ ~~HHHC~~→I.~~←HHHC~~←Hf11 Hf11→I.~~←Hf11~~

"hospital governing board" means the board that governs a county hospital or the board of directors or trustees of a contracting hospital;

Hf11→~~HHHC~~→I.~~←HHHC~~ ~~HHHC~~→J.~~←HHHC~~←Hf11 Hf11→J.~~←Hf11~~

"mill levy" means the rate of the tax, at a rate specified in the Hospital Funding Act, in terms of dollars per thousand dollars of net taxable value of property subject to taxation within the county;

Hf11→~~HHHC~~→J.~~←HHHC~~ ~~HHHC~~→K.~~←HHHC~~←Hf11 Hf11→K.~~←Hf11~~

"municipality" means any city, town or village incorporated under a general act, special act or special charter; and

Hf11→~~HHHC~~→K.~~←HHHC~~ ~~HHHC~~→L.~~←HHHC~~←Hf11 Hf11→L.~~←Hf11~~

"equipping" or "re-equipping" means purchase or lease of property of a character subject to the allowance for depreciation under Section 167 of the federal Internal Revenue Code of 1986, as amended or renumbered, and regulations promulgated in accordance with that section."