

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR SENATE HEALTH AND  
PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
SENATE BILL 190

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

AN ACT

RELATING TO DISABILITY; AMENDING AND ENACTING SECTIONS OF THE  
DEVELOPMENTAL DISABILITIES ACT TO MAKE CHANGES TO THE  
DEVELOPMENTAL DISABILITIES PLANNING COUNCIL MEMBERSHIP,  
AUTHORIZATION AND DUTIES; RENAMING THE DEVELOPMENTAL  
DISABILITIES PLANNING COUNCIL AS THE DEVELOPMENTAL DISABILITIES  
COUNCIL.

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

SECTION 1. Section 28-16A-1 NMSA 1978 (being Laws 1993,  
Chapter 50, Section 1) is amended to read:

"28-16A-1. SHORT TITLE.--~~[Sections 1 through 18 of this  
act]~~ Chapter 28, Article 16A NMSA 1978 may be cited as the  
"Developmental Disabilities Act"."

SECTION 2. Section 28-16A-2 NMSA 1978 (being Laws 1993,  
Chapter 50, Section 2) is amended to read:

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1 "28-16A-2. LEGISLATIVE [PURPOSE] AUTHORIZATION.--

2 [A. ~~It is the purpose of the legislature in~~  
3 ~~enacting the Developmental Disabilities Act to promote~~  
4 ~~opportunities for all persons with developmental disabilities~~  
5 ~~to live, work and participate with their peers in New Mexico~~  
6 ~~communities. Priority shall be given to the development and~~  
7 ~~implementation of support and services for persons with~~  
8 ~~developmental disabilities that will enable and encourage them~~  
9 ~~to:~~

10 (1) ~~exert control and choice over their own~~  
11 ~~lives;~~

12 (2) ~~achieve their greatest potential for~~  
13 ~~independent and productive living by participating in inclusive~~  
14 ~~community activities; and~~

15 (3) ~~live in their own homes and apartments or~~  
16 ~~in facilities located within their own communities and in~~  
17 ~~contact with other persons living in their communities.~~

18 B.] The Developmental Disabilities Act authorizes  
19 the department to plan, provide and coordinate support and  
20 services to persons with developmental disabilities."

21 SECTION 3. Section 28-16A-3 NMSA 1978 (being Laws 1993,  
22 Chapter 50, Section 3) is amended to read:

23 "28-16A-3. DEFINITIONS.--As used in the Developmental  
24 Disabilities Act:

25 A. "assessment" means a process for measuring and

1 determining a person's strengths, needs and preferences to  
 2 determine eligibility for support and services and to develop  
 3 or modify an individual support and service plan;

4 B. "case management" means a process that:

5 (1) assists a person with a developmental  
 6 disability to know and understand [~~his~~] the person's choices  
 7 and rights and to obtain support and services that the person  
 8 is eligible to receive and that [~~is~~] are reflected in the  
 9 individual support and service plan; and

10 (2) monitors the provision of support and  
 11 services received by [~~the~~] a person with a developmental  
 12 disability;

13 C. "comprehensive review and analysis" means the  
 14 comprehensive review and analysis conducted pursuant to  
 15 Subsection A of Section 28-16A-7 NMSA 1978;

16 D. "council" means the developmental disabilities  
 17 council;

18 [~~E.~~] E. "department" means the department of  
 19 health;

20 [~~D.~~] F. "diagnostic evaluation" means an empirical  
 21 process that determines if, and to what degree, a person has a  
 22 developmental deficiency and the type of intervention and  
 23 services that are needed for the person and that person's  
 24 family;

25 [~~E.~~] G. "inclusive" means using the same community

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1 resources that are used by and available to all citizens and  
2 developing relationships with nonpaid caregivers or recipients  
3 of support and services for persons with developmental  
4 disabilities;

5 ~~[F.]~~ H. "individual support and service plan" means  
6 a plan developed by an interdisciplinary team and agreed to by  
7 a person with a developmental disability, or by a parent of a  
8 minor or a legal guardian, as appropriate, that describes the  
9 combination and sequence of special, interdisciplinary or  
10 generic care, treatment or other support and services that are  
11 needed and desired by a person with a developmental disability;

12 ~~[G.]~~ I. "interdisciplinary team" means a group of  
13 persons drawn from or representing professions that are  
14 relevant to identifying the needs of a person with a  
15 developmental disability and designing a program to meet that  
16 person's needs. The team shall include the person with a  
17 developmental disability, the parent of a minor child or a  
18 legal guardian, as appropriate;

19 J. "self-determination" means individuals with  
20 developmental disabilities who, with appropriate assistance,  
21 have:

22 (1) the ability and opportunity to communicate  
23 and make personal decisions;

24 (2) the ability and opportunity to communicate  
25 choices and exercise control over the type and intensity of

1 services, supports and other assistance the individuals  
2 receive;

3 (3) the authority to control resources to  
4 obtain needed services, supports and other assistance;

5 (4) opportunities to participate in, and  
6 contribute to, their communities; and

7 (5) support, including financial support, to  
8 advocate for themselves and others, to develop leadership  
9 skills through training in self-advocacy, to participate in  
10 coalitions, to educate policymakers and to play a role in the  
11 development of public policies that affect individuals with  
12 developmental disabilities; and

13 ~~[H.]~~ K. "service provider" means a nonprofit  
14 corporation, tribal government or ~~[tribal]~~ tribal organization,  
15 unit of local government or other organization that has entered  
16 into a contract or provider agreement with the department for  
17 the purpose of providing developmental disabilities support and  
18 services."

19 SECTION 4. Section 28-16A-4 NMSA 1978 (being Laws 1993,  
20 Chapter 50, Section 4) is amended to read:

21 "28-16A-4. DEVELOPMENTAL DISABILITIES ~~[PLANNING]~~  
22 COUNCIL--CREATION--MEMBERSHIP--TERMS.--

23 A. The "developmental disabilities ~~[planning]~~  
24 council" is created in accordance with the federal  
25 Developmental Disabilities Assistance and Bill of Rights Act.

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1 The ~~[developmental disabilities planning]~~ council shall be an  
2 adjunct agency as provided in the Executive Reorganization Act.

3 B. The ~~[developmental disabilities planning]~~  
4 council shall consist of no fewer than ~~[eighteen]~~ twenty-five  
5 members ~~[at least half of whom shall be persons with~~  
6 ~~developmental disabilities or parents, immediate relatives or~~  
7 ~~legal guardians of persons with developmental disabilities]~~.

8 The ~~[developmental disabilities planning]~~ council shall  
9 include:

10 (1) members, provided that no member shall be  
11 an employee, or someone who manages employees, of a state  
12 agency that receives funds to provide developmental  
13 disabilities supports and services, comprising at least sixty  
14 percent of the council's membership, one-third of whom are  
15 individuals with developmental disabilities, one-third of whom  
16 are parents, immediate relatives or legal guardians of  
17 individuals with developmental disabilities and one-third of  
18 whom are a combination of individuals with developmental  
19 disabilities, parents or guardians of children with  
20 developmental disabilities or immediate relatives or guardians  
21 of adults with mentally impairing developmental disabilities  
22 who cannot advocate for themselves, including at least one  
23 individual who shall be:

24 (a) the immediate relative or guardian  
25 of an individual with a developmental disability who resides or

1 previously resided in an institution; or

2 (b) an individual with a developmental  
3 disability who resides or previously resided in an institution;

4 ~~[(1)]~~ (2) the secretary of health, or [his]  
5 the secretary's designee;

6 ~~[(2)]~~ (3) the secretary of human services, or  
7 [his] the secretary's designee;

8 ~~[(3)]~~ (4) the secretary of children, youth and  
9 families, or [his] the secretary's designee;

10 ~~[(4)]~~ (5) the [director] secretary of [the  
11 state agency on aging, or his] aging and long-term services, or  
12 the secretary's designee;

13 ~~[(5)] two directors from the state department~~  
14 ~~of]~~

15 (6) the secretary of public education;  
16 ~~[including the vocational rehabilitation division]~~

17 (7) the director of the vocational  
18 rehabilitation division of the public education department;

19 ~~[(6)]~~ (8) the director of the state protection  
20 and advocacy system established pursuant to the federal  
21 Developmental Disabilities Assistance and Bill of Rights Act;

22 ~~[(7)] representatives of institutions of post-~~  
23 ~~secondary education;~~

24 ~~(8) representatives of each program~~  
25 ~~established within institutions of post-secondary education~~

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1 ~~pursuant to the federal Developmental Disabilities Assistance~~  
2 ~~and Bill of Rights Act and~~

3 ~~(9) representatives of local government~~  
4 ~~agencies, nongovernment agencies or nonprofit groups concerned~~  
5 ~~with services to persons with developmental disabilities,~~  
6 ~~including a service provider]~~

7 (9) the director of any entity within a state  
8 institution of higher education designated as a university  
9 center for excellence in developmental disabilities education,  
10 research and service; and

11 (10) at all times, representatives of local  
12 and nongovernmental agencies and private nonprofit groups  
13 concerned with services for individuals with developmental  
14 disabilities in New Mexico.

15 C. The governor shall select the members of the  
16 council for appointment pursuant to Paragraphs (1) and (10) of  
17 Subsection B of this section after soliciting recommendations  
18 from organizations representing a broad range of individuals  
19 with developmental disabilities and individuals interested in  
20 individuals with developmental disabilities. The council may,  
21 at the initiative of the council or at the request of the  
22 governor, coordinate council and public input to the governor  
23 regarding all recommendations.

24 D. The membership of the council shall be  
25 geographically representative of the state and reflect the



1 diversity of the state with respect to race and ethnicity.

2 [~~G.~~] E. Members, except for ex-officio members,  
3 shall be appointed by the governor for terms of three years.

4 F. The governor shall provide for rotation of the  
5 membership of the council. These provisions shall allow  
6 members to continue to serve on the council until those  
7 members' successors are appointed.

8 G. The council shall notify the governor regarding  
9 membership requirements of the council and shall notify the  
10 governor when vacancies on the council remain unfilled for a  
11 significant period of time.

12 H. Council members shall recuse themselves from any  
13 discussion of grants or contracts for which such members'  
14 departments, agencies or programs are grantees, contractors or  
15 applicants. The council shall ensure that no council member  
16 casts a vote on any matter that would provide direct financial  
17 benefit to the member or otherwise give the appearance of a  
18 conflict of interest."

19 **SECTION 5.** Section 28-16A-5 NMSA 1978 (being Laws 1993,  
20 Chapter 50, Section 5) is amended to read:

21 "28-16A-5. POWERS AND DUTIES.--

22 A. The [~~developmental disabilities planning~~]  
23 council shall:

24 [~~(1) act as a planning and coordinating body~~  
25 ~~for persons with developmental disabilities;~~

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1                   ~~(2)~~ (1) provide statewide advocacy [~~systems~~]  
2 for persons with developmental disabilities;

3                   ~~[(3) work with appropriate state agencies to~~  
4 ~~develop the developmental disabilities three-year plan as~~  
5 ~~required by the federal Developmental Disabilities Assistance~~  
6 ~~and Bill of Rights Act;~~

7                   ~~(4) monitor and evaluate the implementation of~~  
8 ~~the developmental disabilities state plan;]~~

9                   (2) develop and submit to the federal  
10 government the five-year plan for council activities and any  
11 amendments to the plan;

12                   ~~[(5)]~~ (3) to the maximum extent feasible,  
13 review and comment on all state plans that relate to programs  
14 affecting persons with developmental disabilities;

15                   ~~[(6)]~~ (4) submit to the secretary of the  
16 United States department of health and human services, through  
17 the office of the governor, periodic reports that the secretary  
18 may request;

19                   ~~[(7)]~~ (5) advise the governor and the  
20 legislature about the needs of persons with developmental  
21 disabilities;

22                   (6) hold all council meetings via video  
23 conference; and

24                   ~~[(8)]~~ (7) carry out any other activities  
25 authorized or required by the provisions of the federal

1 Developmental Disabilities Assistance and Bill of Rights Act of  
2 2000.

3 B. The [~~developmental disabilities planning~~]  
4 council is authorized to:

5 (1) award grants and enter into contracts to  
6 carry out its duties;

7 (2) seek funding from sources other than the  
8 state;

9 (3) create and support regional county or  
10 local advisory councils; and

11 (4) provide training to persons with  
12 developmental disabilities, their families and providers of  
13 support and services through traineeships, sponsoring training  
14 opportunities and by other means determined appropriate by the  
15 [~~developmental disabilities planning~~] council."

16 SECTION 6. Section 28-16A-6 NMSA 1978 (being Laws 1993,  
17 Chapter 50, Section 6) is amended to read:

18 "28-16A-6. ELIGIBILITY.--

19 A. For purposes of eligibility for support and  
20 services [~~A.~~], "developmental disability" means a severe  
21 chronic disability of [~~a person that~~] an individual, which  
22 disability:

23 (1) is attributable to a mental or physical  
24 impairment, including the result from trauma to the brain, or  
25 combination of mental and physical impairments;

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1 (2) is manifested before the person reaches  
2 the age of twenty-two years;

3 (3) is expected to continue indefinitely;

4 (4) results in substantial functional  
5 limitations in three or more of the following areas of major  
6 life activity:

7 (a) self-care;

8 (b) receptive and expressive language;

9 (c) learning;

10 (d) mobility;

11 (e) self-direction;

12 (f) capacity for independent living; and

13 (g) economic self-sufficiency; and

14 (5) reflects the person's need for a  
15 combination and sequence of special, interdisciplinary or  
16 generic care treatment or other support and services that are  
17 of life-long or extended duration and are individually planned  
18 and coordinated.

19 B. ~~[are children]~~ A child, from birth through two  
20 years of age, who ~~[are]~~ is at risk for or ~~[have]~~ who has a  
21 developmental ~~[delays]~~ delay as defined by rules of the  
22 department ~~[These children are]~~ is eligible for early  
23 intervention services ~~[or]~~.

24 C. ~~[is a person]~~ An individual who is eligible for  
25 developmental disability supports and services based on any

1 previous definition of developmental disability used by the  
 2 state and [~~is~~] was receiving services on [~~the effective date of~~  
 3 ~~the Developmental Disabilities Act~~] June 15, 1993 shall remain  
 4 eligible for developmental disability supports and services.

5 However, [~~children~~] a child, from birth through age two who  
 6 [~~were~~] is determined to be [~~a~~] at risk for or [~~have~~] who has a  
 7 developmental [~~delays are~~] delay shall be eligible for early  
 8 intervention services only, unless [~~meeting~~] the child meets  
 9 the criteria set forth in Subsection A of this section."

10 SECTION 7. Section 28-16A-7 NMSA 1978 (being Laws 1993,  
 11 Chapter 50, Section 7) is amended to read:

12 "28-16A-7. [~~ASSESSMENT OF NEEDS OF PERSONS WITH~~  
 13 ~~DEVELOPMENTAL DISABILITIES~~] COMPREHENSIVE REVIEW AND  
 14 ANALYSIS.--

15 A. [~~In order to comply with the provisions of 42~~  
 16 ~~U.S.C. Section 6067~~] The [~~developmental disabilities planning~~]  
 17 council shall conduct a [~~needs assessment of persons with~~  
 18 ~~developmental disabilities to determine~~] comprehensive review  
 19 and analysis of the extent to which services, supports and  
 20 other assistance are available to individuals with  
 21 developmental disabilities and their families and the extent of  
 22 unmet need for services, supports and all other assistance for  
 23 those individuals and their families in the state. The results  
 24 of the comprehensive review and analysis shall include:

25 (1) the number of individuals with

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1 developmental disabilities residing in New Mexico;

2 (2) the range and degree of severity of  
3 [~~their~~] the disabilities of individuals with developmental  
4 disabilities in New Mexico; and

5 [~~(3) the present placement and support and~~  
6 ~~services being received; and~~

7 [~~(4) the needs for support and services and the~~  
8 ~~extent that their needs are unserved or underserved]~~

9 (3) such other information and analysis  
10 required under federal law.

11 B. The findings of the [~~assessment~~] comprehensive  
12 review and analysis shall be [~~included in the state plan for~~  
13 ~~developmental disabilities services and support~~] utilized in  
14 the development of the council's five-year plan.

15 C. The [~~assessment shall be repeated~~] council  
16 shall:

17 (1) repeat the comprehensive review and  
18 analysis at least every [~~two~~] five years, with a summary of the  
19 findings [~~distributed~~]; and

20 (2) distribute the comprehensive review and  
21 analysis and the summary of findings to relevant organizations,  
22 programs and agencies in the state."

23 SECTION 8. Section 28-16A-8 NMSA 1978 (being Laws 1993,  
24 Chapter 50, Section 8) is amended to read:

25 "28-16A-8. [~~PLANNING FOR~~] REPORTING ON COMMUNITY SERVICES

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1 FOR PERSONS WITH DEVELOPMENTAL DISABILITIES.--[A. The  
 2 ~~developmental disabilities planning council shall coordinate,~~  
 3 ~~review and comment upon plans for services to persons with~~  
 4 ~~developmental disabilities developed by all major state~~  
 5 ~~agencies providing or funding services to persons with~~  
 6 ~~developmental disabilities based, to the greatest extent~~  
 7 ~~possible, upon the most recent needs assessment completed~~  
 8 ~~pursuant to Section 7 of the Developmental Disabilities Act.~~  
 9 B.] The department of health, the human services department,  
 10 the ~~[state department of]~~ public education department, the  
 11 vocational rehabilitation division of the ~~[state department of]~~  
 12 public education department, the children, youth and families  
 13 department, the New Mexico school for the blind and visually  
 14 ~~[handicapped]~~ impaired and the New Mexico school for the deaf  
 15 shall ~~[each submit a plan for support and services for persons~~  
 16 ~~with developmental and other disabilities within a reasonable~~  
 17 ~~time to allow for meaningful coordination, review and comment~~  
 18 ~~by the developmental disabilities planning council.~~

19 C. ~~Each plan shall define and provide for the~~  
 20 ~~support and services that are required within the scope of each~~  
 21 ~~respective agency's applicable federal and state laws and~~  
 22 ~~regulations. The goal of each plan is to enable persons with~~  
 23 ~~developmental disabilities to maximize their potential, live as~~  
 24 ~~independently as possible in their own homes and communities~~  
 25 ~~and achieve productive lives through involvement in inclusive~~

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1 ~~service settings]~~ provide to the council, on an annual basis,  
2 information and data with respect to the actual or estimated  
3 number of individuals with developmental disabilities served by  
4 the agency, the type of services provided, any major changes in  
5 policies adopted in the previous year or anticipated in the  
6 coming year that have had or are expected to have a beneficial  
7 or deleterious effect on persons with developmental  
8 disabilities and any gaps in eligibility or services that pose  
9 a barrier to the provision of services needed by persons with  
10 developmental disabilities."

11 SECTION 9. Section 28-16A-9 NMSA 1978 (being Laws 1993,  
12 Chapter 50, Section 9) is amended to read:

13 "28-16A-9. INFORMATION AND REFERRAL SYSTEM--COORDINATION  
14 AND CONTINUATION.--In order to coordinate information and  
15 referral services and eliminate the duplication of effort, the  
16 [~~developmental disabilities planning~~] council shall provide  
17 information and referral services for persons with  
18 disabilities, their families, providers of support and services  
19 and local and state agencies, including:

- 20 A. the human services department;  
21 B. the department of health;  
22 C. the [~~state department of~~] public education  
23 department and its vocational rehabilitation division;  
24 D. the New Mexico school for the deaf;  
25 E. the New Mexico school for the blind and visually



1 ~~[handicapped]~~ impaired;

2 F. the Carrie Tingley crippled children's hospital;  
3 and

4 G. the children, youth and families department."

5 SECTION 10. Section 28-16A-10 NMSA 1978 (being Laws 1993,  
6 Chapter 50, Section 10) is amended to read:

7 "28-16A-10. DEVELOPMENTAL DISABILITIES [PLANNING]  
8 COUNCIL--STAFF.--The ~~[developmental disabilities planning]~~  
9 council shall employ an executive director, who is the  
10 administrative officer of the council. The executive director  
11 shall employ other necessary employees pursuant to the  
12 provisions of the Personnel Act."

13 SECTION 11. Section 28-16A-11 NMSA 1978 (being Laws 1993,  
14 Chapter 50, Section 11) is amended to read:

15 "28-16A-11. DEVELOPMENTAL DISABILITIES [PLANNING]  
16 COUNCIL--REPORTS.--The ~~[developmental disabilities planning]~~  
17 council shall submit reports on its preceding year's work to  
18 the governor and the ~~[legislative]~~ legislative health  
19 and human services committee by ~~[December]~~ November 1 of each  
20 year. The reports shall contain recommendations, if any, for  
21 legislation or other appropriate action."

22 SECTION 12. Section 28-16A-12 NMSA 1978 (being Laws 1993,  
23 Chapter 50, Section 12) is amended to read:

24 "28-16A-12. DEVELOPMENTAL DISABILITIES [PLANNING]  
25 COUNCIL--COMPENSATION.--~~[Developmental disabilities planning]~~

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1 Council members shall be reimbursed as provided in the Per Diem  
2 and Mileage Act and the federal Developmental Disabilities  
3 Assistance and Bill of Rights Act of 2000. Reasonable  
4 accommodations shall be made available to permit full  
5 participation in council activities by its members, including  
6 personal assistance to members with developmental disabilities  
7 and respite care for members that are parents, immediate  
8 relatives or legal guardians of persons with developmental  
9 disabilities. Other than what is required in the federal  
10 Developmental Disabilities Assistance and Bill of Rights Act of  
11 2000, council members shall receive no other compensation,  
12 perquisite or allowance [shall be received] for their service on  
13 the council."

14 SECTION 13. Section 28-16A-13 NMSA 1978 (being Laws 1993,  
15 Chapter 50, Section 13) is amended to read:

16 "28-16A-13. AUTHORIZATION FOR PROVIDING [~~COMMUNITY-BASED~~]  
17 SUPPORT AND SERVICES FOR PERSONS WITH DEVELOPMENTAL  
18 DISABILITIES.--

19 A. Subject to the availability of appropriations  
20 provided expressly for this purpose, the department may:

21 (1) acquire, provide or coordinate support and  
22 services for persons with developmental disabilities;

23 (2) enter into contracts and provider  
24 agreements with agencies and individuals capable of providing  
25 support and services to persons with developmental disabilities

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1 ~~[that promote the objectives of the department's state plan,~~  
2 ~~prepared pursuant to Section 5 of the Developmental Disabilities~~  
3 ~~Act]; and~~

4 (3) establish advisory councils and task  
5 forces as necessary to guide the development and review of  
6 support and services to persons with developmental disabilities.

7 B. Support and services shall be provided based on  
8 individual support and service plans developed by an  
9 interdisciplinary team. The team is responsible for  
10 collectively evaluating the child's or adult's needs and  
11 developing an individual support and service plan to meet the  
12 needs.

13 C. The department shall:

14 (1) solicit the involvement of consumers,  
15 providers, parents, professional organizations and other  
16 governmental organizations prior to the adoption or revision of  
17 any policies or regulations concerning the provision of support,  
18 services, standards or funding systems. Participants shall be  
19 selected in a manner that reflects geographical, cultural,  
20 organizational and professional representation across the state;

21 (2) develop policies, procedures, rules and  
22 regulations that, to the extent possible, will promote  
23 uniformity in reimbursement and quality assurance systems  
24 regardless of the source of funding; and

25 (3) convene and maintain a family infant

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1 toddler inter-agency coordinating council and a statewide adult  
2 support and services task force that shall, at a minimum,  
3 address quality assurance."

4 SECTION 14. Section 28-16A-18 NMSA 1978 (being Laws 1993,  
5 Chapter 50, Section 18) is amended to read:

6 "28-16A-18. DEVELOPMENTAL DISABILITIES EARLY CHILDHOOD  
7 EVALUATION SYSTEM.--The state shall have a timely,  
8 comprehensive, multidisciplinary system for evaluating infants,  
9 toddlers and preschool-age children suspected of having  
10 developmental delays. Diagnostic evaluations for infants and  
11 toddlers shall address family service needs and shall include  
12 training capabilities to educate community providers and parents  
13 in the understanding and application of the evaluations. This  
14 diagnostic evaluation system shall be jointly provided through a  
15 coordinated system by the children's medical services bureau of  
16 the public health division or the developmental disabilities  
17 supports division of the department, the university of New  
18 Mexico's [~~developmental disabilities team~~] center for  
19 development and disability and the [~~state department of~~] public  
20 education department."

21 SECTION 15. Section 28-16A-19 NMSA 1978 (being Laws 2003,  
22 Chapter 323, Section 1) is amended to read:

23 "28-16A-19. INFORMATION AND REFERRAL TASK FORCE  
24 CREATION.--There is created an information and referral task  
25 force located in the [~~developmental disabilities planning~~]

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1 council to develop a statewide, comprehensive "211" information  
 2 and referral plan for use as a telephone dialing code for access  
 3 to health and human services. The plan shall include a tariff  
 4 structure based on existing agreements, a common taxonomy of  
 5 terms, coordination between public and private systems and  
 6 standardized statewide training and exploration of a centralized  
 7 information repository. The task force shall include  
 8 representation from the department of health; the human services  
 9 department; the children, youth and families department; the  
 10 [~~labor~~] workforce solutions department; the [~~state agency on~~]  
 11 aging and long-term services department; the internet long-term  
 12 care link program; the governor's [~~committee on concerns of the~~  
 13 ~~handicapped~~] commission on disability; the New Mexico commission  
 14 for the blind; the commission for deaf and hard-of-hearing  
 15 persons; a statewide organization that raises money for health  
 16 and human service purposes; and other interested parties."

17 **SECTION 16.** A new section of the Developmental  
 18 Disabilities Act is enacted to read:

19 "[NEW MATERIAL] REPORTING--DEPARTMENT OF HEALTH--  
 20 INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL  
 21 DISABILITIES--INDEPENDENT REVIEW.--Within thirty days of the  
 22 date on which reporting pursuant to each review is available,  
 23 the department shall provide the council with each report issued  
 24 pursuant to the independent reviews of intermediate care  
 25 facilities for individuals with intellectual disabilities that

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1 are performed pursuant to the requirements of federal law."

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