

HOUSE BILL 187

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Rebecca Dow and Rachel A. Black and Cathrynn N. Brown and
Randall T. Pettigrew and Larry R. Scott

AN ACT

RELATING TO CHILDREN; REQUIRING THE CHILDREN, YOUTH AND
FAMILIES DEPARTMENT TO TAKE ACTION IN THE CASE OF A MISSING
CHILD.

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

SECTION 1. Section 9-2A-8 NMSA 1978 (being Laws 1992,
Chapter 57, Section 8, as amended) is amended to read:

"9-2A-8. DEPARTMENT--ADDITIONAL DUTIES.--In addition to
other duties provided by law or assigned to the department by
the governor, the department shall:

A. develop priorities for department services and
resources based on state policy and national best-practice
standards and local considerations and priorities;

B. strengthen collaboration and coordination in
state and local services for children, youth and families by

.222202.1

underscored material = new
[bracketed material] = delete

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

1 integrating critical functions as appropriate, including
2 service delivery, and contracting for services across divisions
3 and related agencies;

4 C. develop and maintain a statewide database,
5 including client tracking of services for children, youth and
6 families;

7 D. develop standards of service within the
8 department that focus on prevention, monitoring and outcomes;

9 E. analyze policies of other departments that
10 affect children, youth and families to encourage common
11 contracting procedures, common service definitions and a
12 uniform system of access;

13 F. enact regulations to control disposition and
14 placement of children under the Children's Code, including
15 regulations to limit or prohibit the out-of-state placement of
16 children, including those who have developmental disabilities
17 or emotional, neurobiological or behavioral disorders, when in-
18 state alternatives are available;

19 G. develop reimbursement criteria for licensed
20 child care centers and licensed home providers establishing
21 that accreditation by a department-approved national
22 accrediting body is sufficient qualification for the child care
23 center or home provider to receive the highest reimbursement
24 rate paid by the department;

25 H. assume and implement responsibility for

.222202.1

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

1 children's mental health and substance abuse services in the
2 state, coordinating with the human services department and the
3 department of health;

4 I. assume and implement the lead responsibility
5 among all departments for domestic violence services;

6 J. implement prevention and early intervention as a
7 departmental focus;

8 K. conduct biennial assessments of service gaps and
9 needs and establish outcome measurements to address those
10 service gaps and needs, including recommendations from the
11 governor's children's cabinet and the children, youth and
12 families advisory committee;

13 L. ensure that behavioral health services provided,
14 including mental health and substance abuse services for
15 children, adolescents and their families, shall be in
16 compliance with requirements of Section 9-7-6.4 NMSA 1978;
17 [~~and~~]

18 M. fingerprint and conduct nationwide criminal
19 history record searches on all department employees, staff
20 members and volunteers whose jobs involve direct contact with
21 department clients, including prospective employees and
22 employees who are promoted, transferred or hired into new
23 positions, and the superiors of all department employees, staff
24 members and volunteers who have direct unsupervised contact
25 with department clients; and

.222202.1

1 N. within twenty-four hours of being advised that a
2 child who has been placed in the custody of the department or
3 who is receiving services under the supervision of the
4 department is missing, notify law enforcement of the missing
5 child and issue an AMBER alert pursuant to the AMBER Alert
6 Law."