

HOUSE BILL 324

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Stefani Lord

AN ACT

RELATING TO GOVERNMENT ORGANIZATION; REQUIRING THE CHILDREN,
YOUTH AND FAMILIES DEPARTMENT TO MONITOR REQUESTS FOR
REIMBURSEMENT; IMPOSING A RATE OF INTEREST ON PAST DUE
PAYMENTS.

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

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1 state and local services for children, youth and families by
2 integrating critical functions as appropriate, including
3 service delivery, and contracting for services across divisions
4 and related agencies;

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

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

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

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

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

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1 H. assume and implement responsibility for
2 children's mental health and substance abuse services in the
3 state, coordinating with the human services department and the
4 department of health;

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

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

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

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

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

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1 with department clients;

2 N. establish a system to monitor all requests made
3 for expense reimbursement by the department as permitted by
4 law; and

5 O. pay interest at the rate of eight and three-
6 fourths percent per year on all requests for reimbursement not
7 paid within thirty days of the department's receipt of the
8 request, unless the department has objected in writing to the
9 person making the request for reimbursement."

10 SECTION 2. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2023.