

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 425

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

AN ACT

RELATING TO HEALTH; REQUIRING THE ESTABLISHMENT AND OPERATION
OF MEDICATION-ASSISTED TREATMENT PROGRAMS IN COUNTY
CORRECTIONAL FACILITIES; EXPANDING MEDICATION-ASSISTED
TREATMENT PROGRAMS IN STATE CORRECTIONS FACILITIES; CREATING A
FUND; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] MEDICATION-ASSISTED TREATMENT
FOR THE INCARCERATED PROGRAM FUND--CREATED.--

A. The "medication-assisted treatment for the
incarcerated program fund" is created as a nonreverting fund in
the state treasury. The fund consists of appropriations,
gifts, grants and donations. The human services department
shall administer the fund, and money in the fund is
appropriated to the human services department to assist all

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1 counties that operate correctional facilities to establish and
2 operate medication-assisted treatment programs for people who
3 are incarcerated in county correctional facilities.

4 Disbursements from the fund shall be made by warrants of the
5 secretary of finance and administration pursuant to vouchers
6 signed by the secretary of human services.

7 B. No later than December 1, 2023, the human
8 services department shall promulgate rules for the operation of
9 medication-assisted treatment programs in correctional
10 facilities in consultation with the corrections department,
11 county corrections administrators and providers who specialize
12 in substance use disorder treatment and have experience working
13 in corrections settings.

14 C. Beginning October 1, 2023 and annually
15 thereafter, the human services department and the corrections
16 department shall report to the interim legislative health and
17 human services committee and the legislative finance committee
18 on the establishment and operation of medication-assisted
19 treatment programs in correctional facilities.

20 D. The corrections department shall:

21 (1) expand and continue to operate currently
22 existing medication-assisted treatment programs for people who
23 are incarcerated in a state correctional facility;

24 (2) by the end of fiscal year 2024, establish
25 and operate a medication-assisted treatment program to continue

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1 medication-assisted treatment for incarcerated people with a
2 prescription who are booked into a state correctional facility;
3 and

4 (3) by the end of fiscal year 2025, offer
5 medication-assisted treatment to all incarcerated people in
6 need of medication-assisted treatment.

7 E. As used in this section:

8 (1) "correctional facility" means a prison or
9 other detention facility, whether operated by a government or
10 private contractor, that is used for confinement of adult
11 persons who are charged with or convicted of a violation of a
12 law or an ordinance; and

13 (2) "medication-assisted treatment" means the
14 use of federal food and drug administration-approved
15 prescription drugs for the treatment of substance use disorder.

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