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AN ACT

RELATING TO BEHAVIORAL HEALTH; REQUIRING RESIDENTIAL
BEHAVIORAL HEALTH FACILITIES TO ALLOW PATIENTS THE
OPPORTUNITY TO NOTIFY THE PATIENT'S FAMILY THAT THE PATIENT
HAS BEEN ADMITTED TO THE FACILITY; PRESCRIBING PENALTIES.

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

SECTION 1. RESIDENTIAL BEHAVIORAL HEALTH FACILITIES--
FAMILY NOTIFICATION--CIVIL PENALTIES.--

A. A residential behavioral health facility shall
not admit a patient for residential treatment without
obtaining or providing evidence that the facility has
attempted to obtain contact information for a family member
of the patient. If the patient provides the contact
information, the residential behavioral health facility shall
make immediate efforts to provide the patient with the
opportunity to notify the patient's family member that the
patient has been admitted. The residential behavioral health
facility shall continue to make efforts to provide the
patient with the opportunity to notify the patient's family
member until the patient's family member is notified that the
patient has been admitted.

B. A residential behavioral health facility that
fails to comply with the requirements of this section shall
be assessed a civil penalty not to exceed seven hundred fifty

1 dollars (\$750). For any subsequent violation of this
2 section, the residential behavioral health facility shall be
3 assessed a civil penalty not to exceed one thousand dollars
4 (\$1,000).

5 C. For the purposes of this section, "residential
6 behavioral health facility" means a licensed health facility
7 that provides residential treatment to patients with
8 behavioral health issues. _____

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