

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 557

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Gerald Ortiz y Pino

AN ACT

RELATING TO BEHAVIORAL HEALTH; PROVIDING FOR AN EVALUATION OF THE INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE AND PUBLICLY FUNDED BEHAVIORAL HEALTH SERVICES; ESTABLISHING A BEHAVIORAL HEALTH SERVICES EVALUATION AND STRATEGY COMMITTEE; PROVIDING FOR THE DEVELOPMENT OF RECOMMENDATIONS FOR OPERATION OF THE INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE; PROVIDING FOR REPORTING TO THE INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE, THE LEGISLATURE AND THE PUBLIC ON BEHAVIORAL HEALTH ISSUES.

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

**SECTION 1. TEMPORARY PROVISION--EVALUATION OF THE INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE-- BEHAVIORAL HEALTH SERVICES EVALUATION AND STRATEGY COMMITTEE-- MEMBERSHIP--SELECTION--BEHAVIORAL HEALTH RECOMMENDATIONS--**

.185416.1

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

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

REPORTING.--

A. The "behavioral health services evaluation and strategy committee" is created to undertake an evaluation of the interagency behavioral health purchasing collaborative and publicly funded behavioral health services in the state to develop recommendations for the operation of the interagency behavioral health purchasing collaborative for:

- (1) the integration of behavioral health services with primary care services in the state;
- (2) efficient resource management;
- (3) the definition of the scope and extent of publicly funded behavioral health services;
- (4) the creation of standards for quality of behavioral health care, including outcome measures for reporting to agencies participating in the collaborative;
- (5) payment of behavioral health services provider claims in a timely, consistent and reliable manner;
- (6) analysis of and recommendations for ensuring the implementation of federal health care reform as it relates to behavioral health services in the state; and
- (7) establishment of procedures and indicators for the implementation of an early warning system established pursuant to the provisions of Subsection D of this section.

B. The members of the behavioral health services evaluation and strategy committee shall consist of nine members

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

1 selected as follows:

2 (1) the director of the interagency behavioral  
3 health purchasing collaborative and the behavioral health  
4 provider co-chair of the statewide entity provider council  
5 shall co-chair the committee;

6 (2) the director of the interagency behavioral  
7 health purchasing collaborative shall appoint the following  
8 three members who are representatives of:

9 (a) the medical assistance division of  
10 the human services department;

11 (b) the behavioral health services  
12 division of the human services department; and

13 (c) the children, youth and families  
14 department; and

15 (3) the behavioral health provider co-chair of  
16 the statewide entity provider council shall appoint the  
17 following four members who are representatives of:

18 (a) the New Mexico youth providers  
19 alliance;

20 (b) the New Mexico behavioral health  
21 association;

22 (c) the behavioral health planning  
23 council. This member shall have expertise in the behavioral  
24 health needs of children; and

25 (d) the behavioral health planning

.185416.1

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

1 council. This member shall have expertise in the behavioral  
2 health needs of adults.

3 C. Members of the behavioral health services  
4 evaluation and strategy committee shall represent the diverse  
5 needs of frontier, rural and urban service environments.

6 D. The behavioral health services evaluation and  
7 strategy committee shall report its findings and make  
8 recommendations to the interagency behavioral health purchasing  
9 collaborative by March 30, 2012. The interagency behavioral  
10 health purchasing collaborative shall consider these  
11 recommendations before issuing its next request for proposals  
12 for a statewide entity.

13 E. The behavioral health services evaluation and  
14 strategy committee shall report its findings and make  
15 legislative recommendations pursuant to those findings to the  
16 legislative health and human services committee by August 1,  
17 2012 or thereafter upon the committee's request.

18 F. The interagency behavioral health purchasing  
19 collaborative shall report, on a quarterly basis and on a web  
20 site easily accessible to the public, the following information  
21 as it relates to the behavioral health services it oversees,  
22 aggregated by service type both on a statewide basis and by  
23 each state judicial district:

- 24 (1) monthly and quarterly utilization data;  
25 (2) the number of denials for behavioral

.185416.1

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

1 health services; and

2 (3) the number of critical incidents that have  
3 occurred, including suicides, attempted suicides and emergency-  
4 department admissions for behavioral health matters.

5 G. The interagency behavioral health purchasing  
6 collaborative shall establish an "early warning system" to  
7 detect any conditions in the delivery of or payment for  
8 behavioral health services that may be hazardous to recipients,  
9 behavioral health providers, state government or the general  
10 public. The early warning system shall include an analysis of  
11 quality-of-care and financial indicators that would predict the  
12 need for the interagency behavioral health purchasing  
13 collaborative to take action to correct the hazardous  
14 conditions.

15 H. For the purposes of this section:

16 (1) "behavioral health provider" means a  
17 person licensed, certified or otherwise authorized by law to  
18 provide behavioral health services in the state;

19 (2) "statewide entity" means the entity with  
20 which the interagency behavioral health purchasing  
21 collaborative contracts to provide all defined behavioral  
22 health service responsibilities statewide, including medicaid  
23 behavioral health benefits, responsible for contracting with  
24 providers, paying provider claims, assuring care coordination,  
25 conducting utilization review and utilization management

.185416.1

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

1 activities, assuring quality review and service delivery  
2 improvement, credentialing practitioners and provider agencies,  
3 privileging practitioners to deliver critical services or  
4 service approaches, evaluating and monitoring of service  
5 delivery and conducting any other administrative functions  
6 necessary to achieve the goals of the collaborative; and

7 (3) "statewide entity provider council" means  
8 a body of behavioral health providers that advises the  
9 executive leadership of the statewide entity.

10 - 6 -  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25