

SENATE BILL 150

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

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO CHILDREN; REQUIRING THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO CONDUCT ASSESSMENTS SHPAC→,←SHPAC SHPAC→AND←SHPAC PROVIDE SERVICES SHPAC→AND CONDUCT AN INVESTIGATION←SHPAC UPON A FAILURE TO COMPLY WITH A PLAN OF CARE.

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

SECTION 1. Section 32A-3A-14 NMSA 1978 (being Laws 2019,

.223220.1AIC February 7, 2023 (11:14am)

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Chapter 190, Section 4) is amended to read:

"32A-3A-14. NOTIFICATION TO THE DEPARTMENT OF NONCOMPLIANCE WITH A PLAN OF CARE.--

A. If the parents, relatives, guardians or caretakers of a child released from a hospital or freestanding birthing center pursuant to a plan of care fail to comply with that plan, the department shall be notified and the department [may] shall conduct a family assessment. Based on the results of the family assessment, the department [may] shall SJC→offer or←SJC provide referrals for counseling, training or other services aimed at addressing the underlying causative factors that may jeopardize the safety or well-being of the child.

SJC→~~The child's parents, relatives, guardians or caretakers may choose to accept or decline any service or program offered subsequent to the family assessment; provided that if the child's parents, relatives, guardians or caretakers decline those services or programs, the~~←SJC SJC→The←SJC department SHPAC→[may]←SHPAC SHPAC→may←SHPAC SHPAC→shall←SHPAC proceed with an investigation.

B. As used in this section, "family assessment" means a comprehensive assessment prepared by the department at the time the department receives notification of failure to comply with the plan of care to determine the needs of a child and the child's parents, relatives, guardians or caretakers, including an assessment of the likelihood of:

- (1) imminent danger to a child's well-being;

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(2) the child becoming an abused child or neglected child; and

(3) the strengths and needs of the child's family members, including parents, relatives, guardians or caretakers, with respect to providing for the health and safety of the child."

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