

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

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 HEALTH; Sf12 ~~REQUIRING THE ESTABLISHMENT AND OPERATION OF MEDICATION-ASSISTED TREATMENT PROGRAMS IN COUNTY CORRECTIONAL FACILITIES;~~ ←Sf12 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:

.225903.1AIC March 7, 2023 (10:54am)

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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 counties that operate correctional facilities to establish and operate medication-assisted treatment programs for people who are incarcerated in county correctional facilities. Disbursements from the fund shall be made by warrants of the secretary of finance and administration pursuant to vouchers signed by the secretary of human services.

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

C. Beginning October 1, 2023 and annually thereafter, the human services department and the corrections department shall report to the interim legislative health and human services committee and the legislative finance committee

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on the establishment and operation of medication-assisted treatment programs in correctional facilities.

D. The corrections department shall:

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

(2) by Sf11→~~the end of fiscal year 2024~~←Sf11 Sf11→December 31, 2025←Sf11 , establish and operate a medication-assisted treatment program to continue medication-assisted treatment for incarcerated people with a prescription who are booked into a state correctional facility; and

(3) by the end of fiscal year Sf11→2025←Sf11 Sf11→2026←Sf11 , offer medication-assisted treatment to all Sf11→incarcerated←Sf11 people Sf11→who are incarcerated in state correctional facilities and←Sf11 in need of medication-assisted treatment.

E. As used in this section:

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

(2) "medication-assisted treatment" means the use of federal food and drug administration-approved

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prescription drugs for the treatment of substance use disorder.

- 4 -

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