

1 SENATE BILL 142

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

3 INTRODUCED BY

4 George K. Muñoz

5
6
7
8
9
10 AN ACT

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

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. [NEW MATERIAL] RESIDENTIAL BEHAVIORAL HEALTH
18 FACILITIES--FAMILY NOTIFICATION--CIVIL PENALTIES.--

19 A. A residential behavioral health facility shall
20 not admit a patient for residential treatment without obtaining
21 or providing evidence that the facility has attempted to obtain
22 contact information for a family member of the patient. If the
23 patient provides the contact information, the residential
24 behavioral health facility shall make immediate efforts to
25 provide the patient with the opportunity to notify the

.226537.1

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

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

1 patient's family member that the patient has been admitted.
2 The residential behavioral health facility shall continue to
3 make efforts to provide the patient with the opportunity to
4 notify the patient's family member until the patient's family
5 member is notified that the patient has been admitted.

6 B. A residential behavioral health facility that
7 fails to comply with the requirements of this section shall be
8 assessed a civil penalty not to exceed seven hundred fifty
9 dollars (\$750). For any subsequent violation of this section,
10 the residential behavioral health facility shall be assessed a
11 civil penalty not to exceed one thousand dollars (\$1,000).

12 C. For the purposes of this section, "residential
13 behavioral health facility" means a licensed health facility
14 that provides residential treatment to patients with behavioral
15 health issues.