

UNANNOTATED

CHAPTER 23 State Health Institutions

ARTICLE 1 General Provisions

23-1-1. [Rules and regulations; equipment; employees.]

The boards of each of said institutions shall have power, and it shall be their duty, to pass and enforce bylaws, rules and regulations for the government of such institutions, for the proper carrying out of their several objects, not in conflict with the laws of the state of New Mexico, or any act of congress, and to provide all proper and necessary books, apparatus, instruments, medicines, clothing, food and supplies, and other materials or things necessary for the proper conduct of the several institutions hereinbefore named and the care, support and protection of the inmates thereof when necessary; also to employ all teachers, physicians, wardens or superintendents and employes [employees], and to prescribe the duties and compensation of each, and they shall have full power to remove or discharge any officer or employe [employee] appointed or selected by them in any of such institutions, when in their judgment the interest of such institution shall require.

History: Laws 1903, ch. 2, § 7; Code 1915, § 5110; C.S. 1929, § 130-607; 1941 Comp., § 5-102; 1953 Comp., § 13-3-2.

23-1-2. [Sale or lease of lands; disposition of proceeds.]

The New Mexico college of agriculture and mechanic arts [New Mexico state university] and all other state, educational and charitable institutions, in New Mexico, are authorized to expend the funds derived from the sale and lease of their lands, or so much thereof as may be necessary which are placed to the credit of the respective institutions, for buildings, equipment and other permanent improvements.

History: Laws 1905, ch. 72, § 1; Code 1915, § 5153; C.S. 1929, § 130-1303; 1941 Comp., § 5-103; 1953 Comp., § 13-3-3.

23-1-3. [Boards to disburse funds; reports.]

The board of regents or other boards of control of said institutions are hereby authorized to expend said moneys as herein provided for said purposes and said boards shall make a full and complete report of the expenditures which they may make

under the provisions of this act [23-1-2, 23-1-3 NMSA 1978], giving amount and purpose for which expended, to the governor of the state of New Mexico.

History: Laws 1905, ch. 72, § 2; Code 1915, § 5154; C.S. 1929, § 130-1304; 1941 Comp., § 5-104; 1953 Comp., § 13-3-4.

23-1-4. [Annual statement of receipts and disbursements.]

It is hereby made the duty of the several boards of managers of state charitable or other institutions which receive any money from the state treasury, at the end of each fiscal year to make out an itemized and detailed statement of all receipts and disbursements of such institution up to and including the last day of said fiscal year, which shall be sworn to as correct by the secretary, treasurer or other accounting officer of such institution who draws and receives the state funds and shall be transmitted to the governor of the state within the first thirty days of the new fiscal year; and any failure on the part of any person or officer to perform the duties herein specified shall subject such person to removal from his position and in case he is a bonded officer it shall be considered as a breach of his bond and be a misdemeanor in office, for which he may be fined in any sum not exceeding five hundred [dollars] [(\$500)] nor less than one hundred dollars [(\$100)], which shall be recovered from him and the sureties on his bond as a penalty.

History: Laws 1901, ch. 98, § 3; Code 1915, § 5157; C.S. 1929, § 130-1307; 1941 Comp., § 5-108; 1953 Comp., § 13-3-8.

23-1-5. [Indebtedness in excess of appropriations prohibited; exceptions.]

Every officer, board, body or agency or any member thereof, empowered to expend any public money or to direct the expenditure thereof, or to contract indebtedness against or in view of specific appropriations, is hereby prohibited [prohibited] from making any contract, incurring any expense, or contracting any liability against this state, or any public fund thereof, which shall make, tend to make or contemplate any excess of expenditure beyond the terms of the laws authorizing expenditures by them, or either of them, or under their direction; and it shall be unlawful for any trustee, superintendent, warden or other officer of any of the educational, penal, charitable or other institutions of this state, who, under the laws, has authority or may be vested with authority to purchase supplies, employ servants or assistants, contract indebtedness, or to do any act contemplating the expenditure of public moneys, to contract any indebtedness in behalf of such institutions or ostensibly against the state on account of such institutions in excess of the appropriations made for the maintenance and support thereof; but in respect to the penitentiary, the asylum for the insane, the reform school, the institute for the blind, the miners' hospital and the deaf and dumb asylum, if the specific appropriations therefor shall have become exhausted, food and clothing for the inmates thereof may be purchased on the credit of the state.

History: Laws 1912, ch. 69, § 1; Code 1915, § 5158; C.S. 1929, § 130-1308; 1941 Comp., § 5-109; 1953 Comp., § 13-3-9.

23-1-6. [Emergency food and clothing; resolution required; approval by governor.]

Before such food and clothing shall be purchased, in case of emergency, as provided in the preceding section [23-1-5 NMSA 1978], there shall be passed a resolution of the governing board of the institutions mentioned, respectively, setting forth the kind, quantity, quality and estimated cost of such supplies, food and clothing, and the necessity therefor, and showing the state of the funds appropriated to such institutions respectively; and a copy thereof certified by the president, chairman or other head of such board, and attested by its secretary or clerk, shall be transmitted to the governor, who, if he approve the same, shall return it to the board from which it came, with his approval thereon endorsed over his signature, and thereupon the purchases specified shall be authorized; but if he disapprove the resolution, he shall so notify the board aforesaid.

History: Laws 1912, ch. 69, § 2; Code 1915, § 5159; C.S. 1929, § 130-1309; 1941 Comp., § 5-110; 1953 Comp., § 13-3-10.

23-1-7. [Penalty for exceeding appropriations.]

Any person violating any of the provisions of the two preceding sections [23-1-5, 23-1-6 NMSA 1978] shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine not exceeding \$500 nor less than \$100, or by imprisonment in the penitentiary for not less than six months nor more than one year, or by both such fine and imprisonment in the discretion of the court trying such cause.

History: Laws 1912, ch. 69, § 3; Code 1915, § 5160; C.S. 1929, § 130-1310; 1941 Comp., § 5-111; 1953 Comp., § 13-3-11.

23-1-8. [Grand jury to note statutes prohibiting indebtedness exceeding appropriations.]

It is hereby made the duty of the several district judges to call to the attention of grand jurors the provisions of the three preceding sections [23-1-5 to 23-1-7 NMSA 1978].

History: Laws 1912, ch. 69, § 4; Code 1915, § 5161; C.S. 1929, § 130-1311; 1941 Comp., § 5-112; 1953 Comp., § 13-3-12.

23-1-9. Repealed.

History: 1941 Comp., § 5-113, enacted by Laws 1941, ch. 69, § 1; 1953 Comp., § 13-3-13; repealed by Laws 2017, ch. 87, § 31.

23-1-10. Repealed.

History: 1941 Comp., § 5-114, enacted by Laws 1941, ch. 69, § 2; 1953 Comp., § 13-3-14; repealed by Laws 2017, ch. 87, § 31.

23-1-11. [Payment of pensions from excess of income from donated lands only.]

That all pensions provided by this act [23-1-11 NMSA 1978] shall be payable solely out of the income or current fund of the institution paying such pensions derived from the renting of lands of such institution donated by the United States of America, over and above such portion of such current income as may be necessary to service any bond issue of such institution heretofore lawfully issued, and no part of such pensions shall be paid out of the permanent fund of such institution, nor out of funds raised by general taxation.

History: 1941 Comp., § 5-115, enacted by Laws 1941, ch. 69, § 3; 1953 Comp., § 13-3-15.

23-1-12. Transfer of existing institutions.

A. All property, appropriations and cash balances now held in the name of the following institutional facilities, or by any state agency for the indicated facilities, the use of which is not limited by the terms of any trust or constitutional provision, and staff employed by the following institutional facilities, are transferred to the department of health:

- (1) New Mexico behavioral health institute at Las Vegas;
- (2) Los Lunas medical center;
- (3) Fort Bayard medical center veterans' unit;
- (4) Villa Solano;
- (5) Fort Stanton hospital;
- (6) Turquoise lodge;
- (7) Pecos lodge; and
- (8) New Mexico state veterans' home.

B. The secretary of health may delegate the authority for the supervision and operation of any of the institutional facilities transferred under Subsection A of this section to any of the organizational units within the department of health.

History: 1953 Comp., § 13-12-1, enacted by Laws 1977, ch. 253, § 42; 2005, ch. 313, § 4; 2019, ch. 146, § 2.

23-1-13. New medical center names.

A. Henceforth, the New Mexico state hospital at Las Vegas and the meadows home for the aged will be known as the "New Mexico behavioral health institute at Las Vegas". This center may offer general hospital care, extended care, intermediate care, skilled nursing services and out-patient care, as well as services now required by statute.

B. Henceforth, the Los Lunas hospital and training school at Los Lunas will be known as the "Los Lunas medical center". This center may offer general hospital care, extended care, skilled nursing services and out-patient care, as well as services now required by statute.

C. Henceforth, the Fort Bayard hospital will be known as the "Fort Bayard medical center". This center may offer general hospital care, extended care, skilled nursing services and out-patient care, as well as services now required by statute.

History: 1953 Comp., § 13-12-1.2, enacted by Laws 1970, ch. 45, § 1; 2005, ch. 313, § 5.

ARTICLE 2

Carrie Tingley Crippled Children's Hospital

23-2-1. Carrie Tingley crippled children's hospital program created.

In order to provide care and treatment for the crippled children of New Mexico in need of long-term inpatient or outpatient care, there is hereby created the Carrie Tingley crippled children's hospital program to be administered by the board of regents of the university of New Mexico. For the purposes of this section, "crippled children" means children whose primary diagnosis is a chronic impairment which may require long-term inpatient or outpatient medical or surgical care or treatment.

History: Laws 1937, ch. 13, § 1; 1941 Comp., § 5-301; 1953 Comp., § 13-5-1; Laws 1981, ch. 275, § 1; 1989, ch. 247, § 1.

23-2-2. Advisory committee.

The board of regents of the university of New Mexico shall appoint and consult with an advisory group consisting of at least three parents of children with a chronic impairment and two health professionals.

History: Laws 1937, ch. 13, § 2; 1941 Comp., § 5-302; Laws 1951, ch. 127, § 1; 1953 Comp., § 13-5-2; Laws 1955, ch. 126, § 1; 1987, ch. 199, § 1; 1989, ch. 247, § 2.

23-2-3. Powers and duties.

The board of regents of the university of New Mexico shall manage, control and govern the Carrie Tingley crippled children's hospital program under rules, regulations or other directives and policies as the board of regents may from time to time prescribe. The board of regents of the university of New Mexico has the full power to enter into contracts or other agreements as it deems necessary or desirable for the operation and management of the Carrie Tingley crippled children's hospital program.

History: 1978 Comp., § 23-2-3, enacted by Laws 1989, ch. 247, § 3.

23-2-4 to 23-2-6. Repealed.

23-2-7. Carrie Tingley crippled children's hospital fund and program funds.

There is created the "Carrie Tingley crippled children's hospital program fund". All money now held by the Carrie Tingley crippled children's hospital fund or payable to that fund in the future for the purpose of operating and managing the Carrie Tingley crippled children's hospital program shall be paid over to the board of regents of the university of New Mexico to be used for the purpose of operating the Carrie Tingley crippled children's hospital program. All money from patient care and treatment rendered by the Carrie Tingley crippled children's hospital program, now held or received in the future, shall be paid over to the board of regents of the university of New Mexico to be used for the purpose of operating the Carrie Tingley crippled children's hospital program.

History: Laws 1937, ch. 13, § 7; 1941 Comp., § 5-307; 1953 Comp., § 13-5-7; Laws 1989, ch. 247, § 4.

23-2-8. Repealed.

23-2-9. Receipts from public lands where no beneficiary is designated.

The commissioner of public lands and the state treasurer are authorized to transfer to the board of regents of the university of New Mexico for the credit of the Carrie Tingley crippled children's hospital program all receipts now held or which may hereafter

be received from any lands acquired by the state by purchase and placed under the state land office where no beneficiary is specified, including Conchas dam lands.

History: 1941 Comp., § 8-115a; Laws 1953, ch. 33, § 1; 1953 Comp., § 13-5-9; Laws 1989, ch. 247, § 5.

ARTICLE 3

Miners' Hospital

23-3-1. Purpose of miners' hospital; admission and maintenance of patients.

The miners' hospital of New Mexico is intended and meant to be for the free treatment and care of resident miners of the state of New Mexico, who may become sick or injured in the line of their occupation; and all lodging and medical care shall be free of charge, as shall all other expenses incurred by the patient, except in cases where such patient is possessed of property and means sufficient to enable him to pay the actual costs and charges incurred by his attendance at such hospital, in which case the governing authority may make provision for his being charged and paying such expenses incurred.

Provided, however, the governing authority may take in other patients for treatment and care, upon the payment of all expenses therefor by the patients, when they may be received and treated without excluding any miners from the hospital.

History: Laws 1903, ch. 2, § 9; 1907, ch. 48, § 1; Code 1915, § 5106; C.S. 1929, § 130-501; 1941 Comp., § 5-401; 1953 Comp., § 13-6-1; Laws 1968, ch. 17, § 9.

23-3-2. Board created; terms; composition; compensation.

A. There is created the "board of trustees of the miners' hospital of New Mexico". The board shall consist of five members appointed by the governor with the advice and consent of the senate. One member of the board shall be a licensed physician, two members shall be miners or their representatives and two members shall be representatives of the general public. Members of the board shall be appointed for staggered terms of five years each, except that the initial board shall be composed of one member appointed for a term of one year, one member appointed for a term of two years, one member appointed for a term of three years, one member appointed for a term of four years and one member appointed for a term of five years.

B. A majority of the board shall constitute a quorum for doing business.

C. Members of the board shall receive per diem and mileage as provided in the Per Diem and Mileage Act [10-8-1 to 10-8-8 NMSA 1978] and shall receive no other compensation, perquisite or allowance.

History: 1953 Comp., § 13-6-2, enacted by Laws 1975, ch. 19, § 1.

23-3-3. Powers and duties.

The board is a body corporate under the name of the board of trustees of the miners' hospital of New Mexico and has the power to sue and be sued, contract, acquire land by purchase or donation and to do all other things necessary to carry out its duties. The board shall supervise and control all functions of the operation and management of the miners' hospital of New Mexico.

History: 1953 Comp., § 13-6-3, enacted by Laws 1975, ch. 19, § 2.

23-3-4. Transfer of funds and property.

All property, real, personal and mixed, including appropriations and cash balances now held by the hospitals and institutions department for the purpose of operating and managing the miners' hospital of New Mexico is transferred to the board of trustees of the miners' hospital of New Mexico.

History: 1953 Comp., § 13-6-4, enacted by Laws 1975, ch. 19, § 3.

ARTICLE 4

New Mexico Veterans' Home

23-4-1. Veterans' home created; advisory board.

A. The "New Mexico state veterans' home" located near Truth or Consequences, New Mexico, is declared to be a state home for veterans of service in the armed forces of the United States and their qualifying spouses, surviving spouses and gold star parents.

B. The "Fort Bayard medical center veterans' unit", a separate and distinct unit of the Fort Bayard medical center, located near Silver City, New Mexico, is declared to be a state home for veterans of service in the armed forces of the United States.

C. There is created the "New Mexico veterans' home advisory board". The advisory board shall consist of nine members as follows:

- (1) the secretary of health or the secretary's designee;
- (2) the secretary of veterans' services or the secretary's designee;
- (3) the secretary of aging and long-term services or the secretary's designee;
- (4) the administrator of a private nursing home;

(5) a registered health care professional who is employed by a public or private nursing home;

(6) the state commander of the department of New Mexico veterans of foreign wars or the department commander's designee;

(7) the department commander of the American legion or the department commander's designee;

(8) the state commander of disabled American veterans or the state commander's designee; and

(9) a member of any other congressionally recognized veteran service organization.

D. The governor shall appoint the members designated in Paragraphs (4), (5) and (9) of Subsection C of this section, and their terms shall be for three years each.

E. The New Mexico state veterans' home shall be under the control and oversight of the department of health.

F. The New Mexico veterans' home advisory board shall provide advice to the secretaries of veterans' services and health and the administrators of the New Mexico state veterans' home and the Fort Bayard medical center regarding veterans' services.

History: 1953 Comp., § 74-7-1, enacted by Laws 1974 (S.S.), ch. 2, § 1; 1983, ch. 329, § 1; 1986, ch. 103, § 1; 1987, ch. 133, § 1; 1991, ch. 24, § 1; 1993, ch. 7, § 1; 2001, ch. 40, § 1; 2004, ch. 19, § 25; 2017, ch. 84, § 8; 2019, ch. 146, § 3.

23-4-2. Repealed.

23-4-3. Eligibility for care; standards.

A. Occupancy in the New Mexico state veterans' home and the Fort Bayard medical center veterans' unit shall be for veterans of service in the armed forces of the United States who have served on active duty pursuant to rules adopted by the secretary of veterans' services consistent with federal guidelines. To be eligible for admission and continued occupancy, a veteran must be a citizen of the United States who enlisted or was drafted, inducted or commissioned in the armed forces of the United States, who was accepted for and assigned to active duty in the armed forces and was not separated from the armed forces under circumstances amounting to a dishonorable discharge from the armed forces.

B. Additionally, no more than twenty-five percent of the occupancy in the New Mexico state veterans' home shall consist of nonveterans from the following categories:

- (1) spouses;
- (2) surviving spouses; and
- (3) gold star parents, as defined in the Veterans' Services Department Act [Chapter 9, Article 22 NMSA 1978].

C. Whenever a law, rule or regulation of the United States department of veterans affairs or any other law permits the state to receive federal funds for the use and benefit of the New Mexico state veterans' home, upon acceptance of a veteran of the armed forces of the United States not meeting the requirements of Subsection A of this section, the New Mexico veterans' home advisory board may adopt rules to authorize such veteran's acceptance.

History: 1953 Comp., § 74-7-3, enacted by Laws 1974 (S.S.), ch. 2, § 4; 1983, ch. 329, § 3; 1986, ch. 103, § 2; 1987, ch. 133, § 2; 1993, ch. 7, § 2; 2001, ch. 40, § 2; 2017, ch. 84, § 9.

23-4-4. Repealed.

23-4-4.1. Donations; gifts; bequests.

The New Mexico state veterans' home may accept donations, gifts and bequests of land, money or other things of value for the purposes of Sections 23-4-1 and 23-4-3 NMSA 1978. The title to such lands, together with all improvements thereon, shall vest in the state, and the deeds thereto, all insurance policies, certificates of water rights and other evidences of ownership of the land or improvements of the New Mexico state veterans' home shall be filed as provided by law. Except as provided by the conditions of such donations, gifts and bequests, all donations and gifts of money shall be deposited by law.

History: 1978 Comp., § 23-4-4.1, enacted by Laws 1983, ch. 329, § 5; 1986, ch. 103, § 4; 1987, ch. 133, § 3; 1993, ch. 7, § 3; 2001, ch. 40, § 3.

23-4-5, 23-4-6. Repealed.

23-4-7. Future transfer of lands; restrictions.

A. The secretary of health shall designate not more than thirty acres of land immediately surrounding the old Carrie Tingley crippled children's hospital building, including the support buildings and three adjoining houses, which may not be designated as surplus property by the department of finance and administration pursuant to this section. Subsequent to such a designation, the department of finance and administration may determine, after the New Mexico state veterans' home has been

established, that there exists acreage that is surplus to the needs of the New Mexico state veterans' home.

B. The department of finance and administration, with approval of the state board of finance, may transfer a portion of the designated surplus property not to exceed twenty-five acres to the Truth or Consequences school board to be used for a site for construction of a middle school.

C. Subsequent to the official decision of the Truth or Consequences school board to proceed or not to proceed with the construction of a middle school on property adjacent to the New Mexico state veterans' home, the department of finance and administration may transfer, with approval of the state board of finance, part or all of the remaining surplus property to the city of Truth or Consequences for use in future economic development projects.

D. All transfers of land provided for in this section shall be subject to the following conditions:

(1) the governor or his designee shall approve any plans for development of any part of the original site before commencement of any construction under such plans;

(2) if the Truth or Consequences school board has not developed a master plan for use of any property transferred to it by January 1, 1987 or has not substantially initiated this plan by January 1, 1993, the surplus property transferred to that school board shall revert to the state;

(3) if the city of Truth or Consequences has not developed a master plan for use of any property transferred to it by January 1, 1987 or has not substantially initiated this plan by January 1, 1993, the surplus property transferred to that city shall revert to the state;

(4) the department of finance and administration shall not transfer as surplus property either the access to any well already existing on the site or any buildings on the site without the consent of the board of trustees; and

(5) no commitment on any parcel of land at the original site shall be made to the Truth or Consequences school board or to the city of Truth or Consequences until after such time as the New Mexico state veterans' home is approved by the legislature.

History: Laws 1983, ch. 329, § 7; 1986, ch. 103, § 5; 1987, ch. 133, § 4; 1993, ch. 7, § 4; 2001, ch. 40, § 4.

ARTICLE 5

Las Vegas Medical Center

23-5-1. Object.

The object of the New Mexico behavioral health institute at Las Vegas is the observation, diagnosis, treatment, care and maintenance of the mentally ill.

History: 1953 Comp., § 34-1-11.1, enacted by Laws 1959, ch. 360, § 1. 2005, ch. 313, § 6.

23-5-2. Repealed.

ARTICLE 6

Los Lunas Medical Center (Repealed.)

23-6-1, 23-6-2. Repealed.

ARTICLE 7

Community Mental Health Services (Repealed.)

23-7-1 to 23-7-12. Repealed.

ARTICLE 8

Children's Psychiatric Unit at University of New Mexico

23-8-1. Children's psychiatric unit; operational control.

After the completion of the construction and equipment of the children's psychiatric unit at Albuquerque by the hospitals and institutions department, as provided by Laws 1975, Chapter 140, the operational control of the children's psychiatric unit shall be by the regents of the university of New Mexico.

History: 1953 Comp., § 73-25-3.1, enacted by Laws 1977, ch. 174, § 1.

ARTICLE 9

Adolescent Treatment Hospital

23-9-1. Short title.

This act [23-9-1 to 23-9-7 NMSA 1978] may be cited as the "Adolescent Treatment Hospital Act".

History: Laws 1992, ch. 60, § 1.

23-9-2. Definitions.

As used in the Adolescent Treatment Hospital Act :

- A. "adolescent" means a person aged thirteen through twenty;
- B. "adolescent treatment hospital" means the hospital created pursuant to the Adolescent Treatment Hospital Act;
- C. "board" means the adolescent treatment hospital governing board;
- D. "adolescent residential treatment facility" means the facility created pursuant to the Adolescent Treatment Hospital Act; and
- E. "coordinated treatment panel" means the group made up of trained health and mental health professionals who review and approve psychosocial treatment recommendations, develop psychosocial treatment alternatives, track costs and cost-effectiveness and evaluate outcomes; and
- F. "secretary" means the secretary of health.

History: Laws 1992, ch. 60, § 2; 1998, ch. 28, § 1.

23-9-3. Adolescent treatment hospital; creation.

The "adolescent treatment hospital" is created. The adolescent treatment hospital shall provide care, treatment and reintegration into society for adolescents who are violent or who have a history of violence and have a mental disorder and who are amenable to treatment.

History: Laws 1992, ch. 60, § 3.

23-9-4. Adolescent residential treatment facility; creation.

The "adolescent residential treatment facility" is created. The adolescent residential treatment facility shall provide a residential treatment program designed for treating adolescents with serious emotional disturbances for the purpose of developing skills necessary for successful transition into the community. The facility shall include a therapeutic environment by establishing a therapeutic milieu or by using a reeducation model that emphasizes the building of competencies.

History: Laws 1992, ch. 60, § 4.

23-9-5. Adolescent treatment hospital governing board; creation; organization; duties.

A. There is created the "adolescent treatment hospital governing board" consisting of five members appointed by the secretary. The members shall serve at the pleasure of the secretary and shall be familiar with the treatment and care of violent adolescents who are mentally disordered.

B. The board shall advise the secretary on professional practices, community concerns and policies and procedures related to the treatment of adolescents admitted to the adolescent treatment hospital.

C. The board, in consultation with the secretary, shall make and adopt such reasonable rules and regulations as may be necessary or convenient to carry out its duties and to administer the provisions of the Adolescent Treatment Hospital Act.

History: Laws 1992, ch. 60, § 5.

23-9-6. Hospital admissions; treatment.

A. Adolescents shall be admitted to the adolescent treatment hospital and adolescent residential treatment facility only in accordance with the provisions of the Mental Health and Developmental Disabilities Code [Chapter 43, Article 1 NMSA 1978] or the Children's Mental Health and Developmental Disabilities Act. The coordinated treatment panel may make recommendations on admissions.

B. The secretary shall, in consultation with the board, define admittance criteria; provided that the criteria may not exclude adolescents in the custody of other agencies who might otherwise meet the criteria for services provided through the adolescent treatment hospital.

C. The Mental Health [Health] and Developmental Disabilities Code or the Children's Mental Health and Developmental Disabilities Act shall apply to inpatient treatment.

History: Laws 1992, ch. 60, § 6; 1998, ch. 28, § 2.

23-9-7. Adolescent treatment hospital and adolescent residential treatment facility administration.

A. The adolescent treatment hospital and adolescent residential treatment facility shall be under the administration and control of the department of health. The secretary of health shall ensure that the adolescent treatment hospital becomes accredited by an appropriate hospital accreditation organization within the limits of its appropriations and, notwithstanding that accreditation, shall also seek and maintain licensure under the appropriate state standards.

B. The adolescent treatment hospital and adolescent residential treatment facility may establish and maintain administrative units and services for administration, medical and mental health care treatment, nursing, dietetics, education, recreation, social work and related services as may be necessary to carry out the purposes for which the adolescent treatment hospital and adolescent residential treatment facility are established.

C. Employees of the adolescent treatment hospital and adolescent residential treatment facility shall be subject to the State Personnel Act [Chapter 10, Article 9 NMSA 1978].

D. The adolescent treatment hospital and adolescent residential treatment facility may develop and implement a reasonable schedule of fees for adolescents not in the custody of the state and not otherwise eligible for services paid for or supported by the state. All fee payments shall be deposited with the state treasurer and credited to the general fund.

E. The adolescent treatment hospital and adolescent residential treatment facility may accept donations, gifts or bequests of land, money or things of value for the establishment, maintenance and advancement of the adolescent treatment hospital and adolescent residential treatment facility. Title to lands acquired shall be vested in the state. Donations, gifts and bequests of money shall be deposited to the credit of the adolescent treatment hospital and adolescent residential treatment facility if required as a condition of the donation, gift or bequest.

History: Laws 1992, ch. 60, § 7.

ARTICLE 10

New Mexico Poison and Drug Information Center

23-10-1. New Mexico poison and drug information center created.

The "New Mexico poison and drug information center" is created as part of the university of New Mexico health sciences center.

History: Laws 2013, ch. 56, § 1.

23-10-2. Certification.

The New Mexico poison and drug information center shall maintain certification by the American association of poison control centers.

History: Laws 2013, ch. 56, § 2.

23-10-3. Duties.

The New Mexico poison and drug information center shall:

- A. provide expert, twenty-four-hour, seven-day-a-week assistance to the residents of New Mexico during possible poisoning emergencies;
- B. provide expert, twenty-four-hour, seven-day-a-week emergency management and treatment referral of victims of poisoning to determine whether treatment can be accomplished at the scene of the incident or if transport to an emergency treatment or other facility is required;
- C. provide expert, twenty-four-hour, seven-day-a-week treatment recommendations for all types of poisonings, chemical exposures, drug overdoses and exposure to chemical weapons of mass destruction. This information shall be provided to medical and nonmedical providers;
- D. carry out follow-up for hospitalized and non-hospitalized poison patients to assess progress and recommend additional treatment as necessary;
- E. carry out follow-up to families and other individuals, where practicable, to ensure that adequate care is provided;
- F. work to improve the health of the residents of New Mexico by reducing illness and death associated with poisoning and by encouraging proper use of medications;
- G. identify and address problems associated with poisoning and medication-related illness through education and public service;
- H. work to reduce the costs associated with poisoning by treating people with less severe exposures at their homes with the center's guidance;
- I. train health care professionals in the field of clinical toxicology;
- J. expand knowledge in the field of clinical toxicology through an active research program;
- K. prevent poisonings through surveillance of toxic events, education, regulation and collaboration with local, state and federal agencies;
- L. offer drug information services that provide individualized, accurate, relevant and unbiased information to consumers and health care professionals regarding medication-related inquiries;
- M. help train pharmacists to become drug information providers;
- N. seek to effectively use the center's resources; and

O. work to advance the center's institutional mission while supporting professional and personal growth.

History: Laws 2013, ch. 56, § 3.