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HOUSE BILL 240

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Kelly K. Fajardo and Alonzo Baldonado

AN ACT

RELATING TO HEALTH; CLARIFYING THE DEFINITION OF "CONTRACTING HOSPITAL" IN THE HOSPITAL FUNDING ACT.

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

SECTION 1. Section 4-48B-3 NMSA 1978 (being Laws 1981, Chapter 83, Section 3, as amended) is amended to read:

"4-48B-3. DEFINITIONS.--As used in the Hospital Funding Act:

A. "another political subdivision" means a political subdivision of New Mexico, including a municipality and a special hospital district organized under the Special Hospital District Act, but not including a county;

B. "class A county" means a county having a population of more than two hundred thousand persons according to the last federal decennial census;

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

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

1 C. "contracting hospital" means a hospital or
2 twenty-four-hour emergency health care facility licensed as a
3 remote location of an acute care hospital located in New Mexico
4 that enters into a health care facilities contract with a
5 county or counties or another political subdivision;

6 D. "county" means any county of the state;

7 E. "county commissioners" means the board of county
8 commissioners of a county;

9 F. "county hospital" means a hospital owned by a
10 county;

11 G. "health care facilities contract" means an
12 agreement between a hospital or twenty-four-hour emergency
13 health care facility licensed as a remote location of an acute
14 care hospital and a county or counties, or between a hospital
15 or twenty-four-hour emergency health care facility licensed as
16 a remote location of an acute care hospital and a county or
17 counties and another political subdivision, that provides for
18 the payment by the county or counties of all or a portion of
19 the proceeds of a mill levy to the hospital or twenty-four-hour
20 emergency health care facility licensed as a remote location of
21 an acute care hospital in exchange for the agreement by the
22 hospital or twenty-four-hour emergency health care facility
23 licensed as a remote location of an acute care hospital to use
24 the funds only for nonsectarian purposes and to make available
25 the following for the sick of the county or counties:

.219178.2

underscored material = new
[bracketed material] = delete

1 (1) [~~hospital~~] facilities that admit [~~and~~] or
2 treat patients without regard to race, sex, religion or
3 national origin;

4 (2) [~~hospital~~] facilities that include x-ray,
5 laboratory services and a pharmacy or drug room;

6 (3) adequate emergency equipment, personnel
7 and procedures, including:

8 (a) a standby emergency power system;

9 (b) at least one person capable and
10 authorized to initiate immediate lifesaving measures;

11 (c) facilities for emergency laboratory
12 work, including, as a minimum, urinalysis, complete blood
13 count, blood type and cross match; and

14 (d) diagnostic radiographic facilities;

15 (4) facilities, procedures and policies for
16 prevention, control and reporting of communicable diseases,
17 including one or more rooms for isolation of patients having or
18 suspected of having communicable diseases;

19 (5) adequate records, including, as [~~a~~
20 ~~minimum~~] required by law, a daily census and a register of all
21 births, deliveries, deaths, admissions, emergency room
22 admissions, discharges, operations, outpatients, inpatients and
23 narcotics; and

24 (6) physical facilities, personnel, equipment
25 and procedures that comply with the regulations promulgated by

.219178.2

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

1 the public health division of the department of health, if any;

2 H. "hospital governing board" means the board that
3 governs a county hospital or the board of directors or trustees
4 of a contracting hospital;

5 I. "mill levy" means the rate of the tax, at a rate
6 specified in the Hospital Funding Act, in terms of dollars per
7 thousand dollars of net taxable value of property subject to
8 taxation within the county;

9 J. "municipality" means any city, town or village
10 incorporated under a general act, special act or special
11 charter; and

12 K. "equipping" or "re-equipping" means purchase or
13 lease of property of a character subject to the allowance for
14 depreciation under Section 167 of the federal Internal Revenue
15 Code of 1986, as amended or renumbered, and regulations
16 promulgated in accordance with that section."