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SENATE BILL 108

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Sue Wilson Beffort and Mary Kay Papen

AN ACT

RELATING TO HUMAN SERVICES; ENACTING THE KEEPING FAMILIES TOGETHER ACT TO REQUIRE THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT TO ESTABLISH A KEEPING FAMILIES TOGETHER PILOT PROJECT TO PROVIDE SUPPORTIVE HOUSING SERVICES TO CERTAIN VULNERABLE FAMILIES IN BERNALILLO, DONA ANA AND VALENCIA COUNTIES; ESTABLISHING THE KEEPING FAMILIES TOGETHER FUND; CREATING THE KEEPING FAMILIES TOGETHER WORKING GROUP; PROVIDING FOR DELAYED REPEAL; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Keeping Families Together Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Keeping Families Together Act:

A. "core service agency" means an entity that

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1 contracts with the state to coordinate care and provide  
2 comprehensive services, including psychiatric services,  
3 medication management, crisis services and comprehensive  
4 community support services, to individuals living with mental  
5 illness, emotional disturbance or substance dependence;

6 B. "department" means the children, youth and  
7 families department;

8 C. "housing services provider" means a  
9 governmental, quasi-governmental or nongovernmental entity that  
10 helps eligible families obtain affordable long-term housing by  
11 administering government housing vouchers, locating appropriate  
12 housing, facilitating client interactions with landlords or  
13 housing owners, providing assistance with moving and other  
14 housing-related expenses or providing similar housing-related  
15 services;

16 D. "keeping families together model" means a  
17 program that:

18 (1) uses long-term supportive housing as a  
19 tool to reduce child abuse and neglect and prevent foster care  
20 among homeless or inadequately housed families; and

21 (2) emphasizes immediate access to long-term  
22 supportive housing rather than transitional housing or housing  
23 contingent on participation in supportive housing programs;

24 E. "long-term supportive housing" means the  
25 provision of a combination of free or low-cost housing and

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1 supportive services, including counseling, substance abuse  
2 treatment, physical and mental health care, assistance in  
3 accessing public benefits, parenting skills training and  
4 employment assistance for a period of not less than twenty-four  
5 months or until a family chooses to leave the provided housing;  
6 and

7 F. "secretary" means the secretary of children,  
8 youth and families.

9 SECTION 3. [NEW MATERIAL] KEEPING FAMILIES TOGETHER PILOT  
10 PROJECT--ELIGIBILITY--SERVICES--PROCUREMENT.--

11 A. By January 1, 2015, the secretary shall create  
12 the keeping families together pilot project to provide long-  
13 term supportive housing through December 31, 2018 to at least  
14 fifty families who lack secure housing and whose children have  
15 been identified as victims in substantiated findings of child  
16 abuse or neglect. At least twenty-five participating families  
17 shall be residents of Bernalillo county. At least thirteen  
18 participating families shall be residents of Dona Ana county.  
19 At least twelve participating families shall be residents of  
20 Valencia county.

21 B. To carry out the provisions of the Keeping  
22 Families Together Act, the department shall contract, in  
23 accordance with the recommendations of the procurement team  
24 appointed pursuant to Subsection G of this section, with  
25 supportive housing providers in Bernalillo, Dona Ana and

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1 Valencia counties to provide long-term supportive housing  
2 services as well as a program manager to administer the pilot  
3 project. The duties of the supportive housing providers and  
4 program manager shall be prescribed by department rules.

5 C. In order to be deemed eligible to participate in  
6 the keeping families together pilot project, a family shall  
7 meet the following eligibility criteria, as defined by rules  
8 the secretary has adopted and promulgated:

9 (1) a child in the family has been identified  
10 as a victim in a substantiated finding of child abuse or  
11 neglect;

12 (2) the family is homeless or has inadequate  
13 housing; and

14 (3) a family member has been identified as  
15 having a substance dependency or mental illness.

16 D. At a minimum, the department shall provide to a  
17 family participating in the keeping families together pilot  
18 project the following:

19 (1) assistance in locating and procuring long-  
20 term supportive housing of a size and quality appropriate for  
21 that family;

22 (2) funds for rent, utilities, utility  
23 deposits and a security deposit in an amount that guarantees  
24 that the family pays no more than thirty percent of its income  
25 for housing and utility-related expenses;

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1 (3) family services, including behavioral  
2 services, designed to foster the family's health, well-being  
3 and stability;

4 (4) parenting skills training; and

5 (5) employment assistance.

6 E. Between January 1, 2015 and December 31, 2018,  
7 the department shall report annually the progress and outcomes  
8 of the keeping families together pilot project to the governor,  
9 the legislative health and human services committee and the  
10 legislative finance committee.

11 F. The long-term supportive housing provided  
12 pursuant to the Keeping Families Together Act shall:

13 (1) conform to the keeping families together  
14 model;

15 (2) be consistent at the different pilot sites  
16 in order to allow rigorous comparison of results across sites;  
17 and

18 (3) conform to standards that ensure high-  
19 quality service delivery and continual quality improvement.

20 G. The secretary shall appoint a procurement team  
21 to conduct the bid process for the services of supportive  
22 housing providers and a program manager. The procurement team  
23 shall consist of:

24 (1) a representative of the department; and

25 (2) a representative of an entity that:

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- 1 (a) is based in the state;  
2 (b) is nonpartisan;  
3 (c) is a not-for-profit entity;  
4 (d) has at least one year of experience  
5 in providing expert legal analysis;  
6 (e) has at least one year of experience  
7 in providing analysis of long-term supportive housing programs  
8 as a foster-care prevention or family reunification tool; and  
9 (f) has a demonstrated knowledge of  
10 housing service providers and human services providers in the  
11 state.

12 H. By accepting keeping families together pilot  
13 project funding, a long-term supportive housing provider shall  
14 agree to:

15 (1) meet monthly with the keeping families  
16 together working group;

17 (2) obtain permission from program  
18 participants to collect data about program participants and  
19 their program outcomes;

20 (3) collect, analyze and report data as  
21 prescribed by department rules;

22 (4) store, manage and share data relating to  
23 the pilot project with the department, service providers,  
24 researchers and state agencies only in accordance with federal  
25 and state privacy laws; and

1 (5) collect data in a standardized format from  
2 supportive housing sites statewide.

3 SECTION 4. [NEW MATERIAL] KEEPING FAMILIES TOGETHER  
4 WORKING GROUP--DUTIES--MEMBERSHIP.--

5 A. The "keeping families together working group" is  
6 created. The keeping families together working group shall  
7 meet monthly at the call of the co-chairs of the working group  
8 and shall ensure the collaboration, the sharing of best  
9 practices and consistency across program sites. It shall  
10 direct the program manager and the long-term supportive housing  
11 service providers in the collection of data and making monthly  
12 reports to the secretary on the progress of the pilot project.

13 B. The working group shall consist of the following  
14 members:

15 (1) the members of the procurement team  
16 appointed pursuant to Subsection G of Section 3 of the Keeping  
17 Families Together Act, who shall serve as co-chairs of the  
18 working group;

19 (2) one representative from each supportive  
20 housing provider that provides services pursuant to the Keeping  
21 Families Together Act;

22 (3) a representative from each core service  
23 agency that contracts with the department to provide services  
24 to a participant family; and

25 (4) up to two additional members appointed by

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1 the co-chairs as they deem necessary.

2 C. Members appointed pursuant to Paragraph (4) of  
3 Subsection B of this section may receive per diem and mileage  
4 pursuant to the provisions of the Per Diem and Mileage Act but  
5 shall receive no other perquisite, compensation or allowance  
6 for their services on the keeping families together working  
7 group.

8 SECTION 5. [NEW MATERIAL] KEEPING FAMILIES TOGETHER  
9 FUND--DISBURSEMENTS.--The "keeping families together fund" is  
10 created in the state treasury. The fund shall consist of:  
11 appropriations; loan payments; federal funds received for the  
12 purpose of making loans; gifts; grants; donations; and bequests  
13 made to the fund. Income from the fund shall be credited to  
14 the fund, and money in the fund shall not revert or be  
15 transferred to any other fund until it reverts to the general  
16 fund at the end of fiscal year 2019. The department shall  
17 administer the fund, and money in the fund is appropriated to  
18 the department to provide long-term supportive housing in  
19 accordance with the provisions of the Keeping Families Together  
20 Act. Money in the fund shall be disbursed upon warrants signed  
21 by the secretary of finance and administration pursuant to  
22 vouchers signed by the secretary of children, youth and  
23 families or the secretary of children, youth and families'  
24 authorized representative.

25 SECTION 6. APPROPRIATION.--Nine hundred ninety-five  
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1 thousand seven hundred ninety-nine dollars (\$995,799) is  
2 appropriated from the general fund to the keeping families  
3 together fund for expenditure in fiscal years 2015 through 2019  
4 for the children, youth and families department to fund the  
5 keeping families together pilot project for supportive housing.  
6 Any unexpended or unencumbered balance remaining at the end of  
7 fiscal year 2019 shall revert to the general fund.

8 SECTION 7. DELAYED REPEAL.--Sections 1 through 5 of this  
9 act are repealed effective January 1, 2019.