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FISCAL IMPACT REPORT

BILL NUMBER: House Bill 97

SHORT TITLE: Shaken Baby Syndrome Prevention Funding

SPONSOR: Thomson

LAST ORIGINAL
UPDATE: _____ **DATE:** 01/23/2026 **ANALYST:** Chilton

APPROPRIATION* (dollars in thousands)

FY26	FY27	Recurring or Nonrecurring	Fund Affected
	\$165.0	Nonrecurring	General Fund

*Amounts reflect most recent analysis of this legislation.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DOH	0	\$98.9	\$98.9	\$197.8	Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Early Childhood Education and Care Department

Health Care Authority

University of New Mexico

Department of Health

Children Youth and Families Department

SUMMARY

Synopsis of House Bill 97

House Bill 97 (HB97) appropriates \$165 thousand from the general fund to the Department of Health (DOH) for the purpose of updating materials available for teaching health care providers and patients about shaken baby syndrome and its prevention and fully implementing teaching about the syndrome in birth locations. It also mandates statewide reporting of abusive head trauma.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the

Legislature adjourns, which is May 20, 2026.

FISCAL IMPLICATIONS

The appropriation of \$165 thousand contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY27 shall revert to the general fund. This would entail \$80.0 thousand needed to contract for updating the learning material and \$85.0 thousand to contract for training birth center personnel on that content, both in the first year.

The DOH states that it would require one senior health educator to review materials and instruction used in counselling families about shaken baby syndrome, at a cost of \$98.9 thousand each year.

SIGNIFICANT ISSUES

"Shaken baby syndrome" is a form of abusive head trauma and a severe form of child abuse that involves violently shaking an infant or small child, which can cause significant brain damage, permanent disability, or death.

Senate Bill 21 in 2017, signed by the Governor and chaptered, created the requirement that all birth hospitals and other birth providers run education for each new parent about the actions that can cause brain injury to small infants, known appropriately as shaken baby syndrome. Although this requirement has been implemented in most birthing locations, it has been hindered by inertia and by the high cost of the dolls that are used to demonstrate the effects of shaking a baby.

According to the Department of Health (DOH), hospitals and birthing centers reporting to DOH indicated that training regarding shaken baby syndrome had been given to over 98 percent of the families giving birth in both 2023 and 2024. DOH stated that it had reviewed the materials used in these training courses and determined that they needed updating.

DOH reported that there had been eighteen cases of abusive head trauma in New Mexico between 2017 and 2022, eleven of which had been in children under age one year, but cautioned that there are number of factors that suggest these numbers are lower than actual deaths due to shaken baby syndrome.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Related to 2017 Senate Bill 21 (passed and chaptered) and to 2016 House Bill 11, 2025 House Bill 407, and 2016 Senate Bill 149, none of which passed.

TECHNICAL ISSUES

The bill does not specify whether all causes of abusive head trauma or just shaken baby syndrome are to be tallied, or to which agency the report of abusive head trauma is to be made.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Training materials appearing to be outdated will continue to be used to instruct birthing families on the dangers of shaken baby syndrome in accord with the Shaken Baby Syndrome Prevention Rule, NMAC 7.30.5.

LAC/ct/dw