

DEVELOPMENTAL DISABILITIES COUNCIL PROGRAM & FY28 BUDGET OVERVIEW

BOTTOM LINE

The NM DDC provides essential, legally required services to some of New Mexico's most high risk residents.

Full funding of the FY28 DDC budget request protects people, reduces long-term costs, and ensures the state meets its legal obligations.

CONSEQUENCES OF NOT FULLY FUNDING FY28

Growing Wait Lists and Delayed Services

- High quality providers will leave the guardianship workforce and guardianship waitlists will grow due to lack of providers
- Families will lack special education support during critical developmental periods

Legal and Fiscal Risk to the State

- Failure to fund required OSEO legal counsel violates state law
- Delayed intervention increases long-term education, health, and legal costs

Operational Constraints

- Budget restriction language not only ensures budget shortfalls for unavoidable costs will continue, but guarantees FY28 deficiencies, inability to fill staff vacancies that arise or respond to emergencies, and other severe negative impacts to DDC's ability to serve New Mexicans with disabilities and their families who are in crisis

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WHAT IS I/DD?

Intellectual and developmental disabilities (I/DD) are disabilities that begin during childhood or early development and may affect learning, communication, decision-making, daily living, or independence. The type and level of support needed vary from person to person.

An estimated **32,000 to 53,000 New Mexicans may have an intellectual and/or developmental disability**, based on historical national prevalence estimates of 1.5% to 2.5% applied to New Mexico's 2025 population.

*This is a population-level estimate based on a published New Mexico Legislative Finance Committee (LFC) report and the national prevalence range of 1.5%–2.5%. This does not represent the number of individuals receiving state disability services.

DDC OVERVIEW

The New Mexico Developmental Disabilities Council (DDC) advances advocacy, capacity building, and systemic change to improve quality of life for New Mexicans with developmental disabilities. DDC oversees three core programs:

- **Center for Self-Advocacy (CSA)**
- **Office of the Special Education Ombud (OSEO)**
- **Office of Guardianship (OOG)**

These programs provide leadership development, public special education navigation, and guardianship services to New Mexicans with disabilities across the state. Demand for all three programs continues to rise.

CSA strengthens disability self-advocacy statewide through training, leadership development, community education, and accessible resources. CSA's team, grounded in lived experience, provides high-demand outreach and consultation across agencies and communities.

Rising Need: Increased requests for training and community engagement, particularly in **rural and tribal communities**. These communities often request or require in-person educational opportunities.

OSEO assists students with disabilities and their families in understanding and navigating New Mexico's public-school special education system. The office provides information, consultation, individualized case support, and statewide systemic observations based on family experiences.

Rising Need: Increasing requests for individualized special education support, particularly in districts with **limited special-education resources**. Families increasingly **require specialized guidance and legal expertise** to navigate complex education systems.

OOG provides professional guardianship services for income-eligible adults who cannot otherwise access them. Services include legal support, professional and treatment guardianship, and information and education on alternative support options such as Supported Decision-Making.

Rising Need: Growing demand for professional and treatment guardianship services = **increasing applications**, creating a **large wait list** exceeding available provider capacity. Many individuals require immediate assistance to explore alternatives and reduce long-term guardianship delays = **high demand on decision-making supports experts**. Resources and funding limited due to the number of ongoing guardianships covered by DDC; **average length of current case is over 7 years, 10 months**, an average cost of \$36,515 paid to professional guardians during that time.

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THE NEED IS GROWING

- **1,070+ adults** currently receive guardianship services monthly
- **Over 450 people are waiting** for guardianship services
- Average wait is over 12 months
- Since 2021, **special education ombuds have served 1,134 families** in 98 school districts
- **Special Ed ombuds now have a 4-6 week wait list** for students & families needing help

OPERATIONAL FLEXIBILITY REQUEST

To ensure responsible financial management and allow programs to respond to workload fluctuations, the Council requests:

Removal of restrictive budget

language that limits the transfer of funds between categories within the program. Flexibility to reallocate funds internally is essential to:

- Address unforeseen shortfalls, particularly in personnel and contractual services
- Maintain continuity of services for high-need residents
- Avoid future deficits requiring emergency or non-recurring funding
- Sustain staffing necessary to meet statutory obligations
- Enables DDC and OOG to manage budgets responsibly while upholding legally required and mission-critical services

FY26 OPERATING BUDGET

P727 – reversion = \$1237.80

P737 – reversion = \$1400.76

FY25-26 SPECIALS

ZI9D198 (A2G) reversion = \$425.87

ZJ5185 (Federal Special) reversion = \$24.89

ZJ5186 (OOG waitlist) reversion = \$0

ZJ5187 (SDM) reversion = \$5,549.88

OFFICE OF THE SPECIAL EDUCATION OMBUD (OSEO)

Statewide Reach and Growing Demand

- Serving students with disabilities and their families to access educational services in public schools. Families served by year:

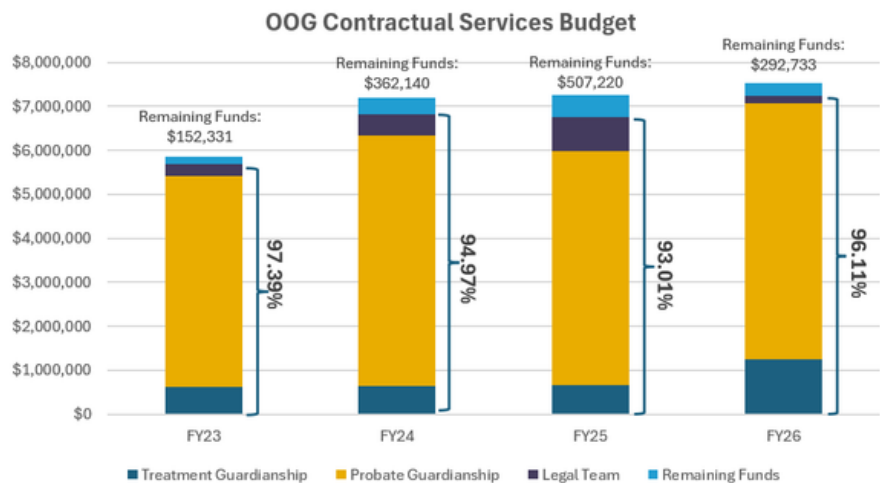
FY22	FY23	FY24	FY25	FY26
80	238	227	287	312

- **Statutory requirement for legal counsel remains unfunded, exposing the state to legal liability**

OFFICE OF GUARDIANSHIP (OOG)

Rising Demand and Workforce Pressure

- Provides guardianship and legal services for adults with disabilities
- 1,074 people served by professional guardians
- 366 guardianship applications received in FY26 (approx. 30 per month)
- 89 applications already received in FY27 (approx. 29 per month)
- **OOG now offers assistance immediately** to all applicants to explore supported decision-making and other alternatives to guardianship



FY28 BUDGET REQUEST SUMMARY

P727 – DDC, CSA, Federal Programs & OSEO

Total Request: \$2,560,146

Includes personnel alignment, contractual services for OSEO, rising operational costs (rent, insurance, IT), and strengthened capacity to meet statewide demand.

P737 – Office of Guardianship (OOG)

Total Request: \$12,421,109

Increase reflects:

- Implementation of FY25 rate study recommendations for guardianship services
- Contractual services growth driven by increasing lifetime caseloads
- Necessary alignment of salaries and benefits with 14 filled FTEs
- Growth in treatment guardianship and wait list mitigation needs
- Mandatory fixed-cost increases (DoIT, GSD, rent, insurance)