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FISCAL IMPACT REPORT

SPONSOR: Varela DATE TYPED: 1/29/03 HB 63

SHORT TITLE: Family Preservation and Support SB _____

ANALYST: Chabot

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)
Department of Health (DOH)

No Responses Received From

Human Services Department
State Department of Education

SUMMARY

Synopsis of Bill

House Bill 63 enacts the Family Preservation Act that confirms the state's policy of support for the family and emphasizes the responsibilities of parents and the state in the healthy development of children and the family as an institution. The act states that it is the policy of the state to support intact, functional families and promote the conditions to keep families together. It identifies parents as have the primary responsibility for the well-being of their family. The state has the responsibility for providing free, quality primary and secondary education, providing public safety, making available social service programs, developing programs promoting family strengths and assisting parents in carrying out their responsibilities in caring for their family. The act defines eligibility and specifies an array of services to be provided. It also establishes

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minimum qualification for persons providing family support services. CYFD is responsible for coordinating and implementing family support services. SDE will assist by identifying children in public schools in need of services. CYFD will provide crisis intervention and therapeutic services on a 7-day, 24-hour per day basis to assist with solutions to problems affecting families. CYFD will conduct an annual evaluation of family support services and collect data that allows comparison with other states.

Significant Issues

CYFD assesses that House Bill 63 places more responsibilities on parents than existing language in the existing Family Support Act that it replaces. In addition, it adds to the state's responsibilities to develop additional programs to support families that may have a fiscal impact in implementation.

DOH states that the bill is consistent with the DOH Strategic Plan, Program Area 1, Goal A that is to promote positive maternal, child, adolescent and family health outcomes in New Mexico. The agency states that the legislation needs to be clear that the state supports children residing in the home only when it is deemed a safe environment.

ADMINISTRATIVE IMPLICATIONS

CYFD states that federal definitions in Title IV-B of the Social Security Act differentiate between "family preservation" and "family support" and, as a result, CYFD would have to clarify for federal agencies what services New Mexico provides under the Family Preservation Act.

TECHNICAL ISSUES

To alleviate any confusion to federal agencies as to the intent of the new statute, DOH recommends striking "preservation" in page 1, lines 13, 17, and 20 replacing it with "support". It also recommends striking "preserving" on page 2, line 1 and replacing it with "supporting". In Section 3 B, page 2, line 9, DOH recommends adding "if the home is deemed a safe environment" after "communities".

GAC/yr