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FISCAL IMPACT REPORT

SPONSOR: Jennings DATE TYPED: 03/01/03 HB _____

SHORT TITLE: Clarify CYFD Duties SB 752/aSRC

ANALYST: Chabot

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
		\$.01 (See Narrative)		Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to SJM-47, HB 199 and HJM-68

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
 Children, Youth and Families Department (CYFD)
 Department of Health (DOH)
 Department of Labor (DOL)
 Health Policy Commission (HPC)
 Human Services Department (HSD)

SUMMARY

Synopsis of SRC Amendment

The Senate Rules Committee amendment to Senate Bill 752 designates CYFD as the treatment authority for children’s mental health and substance abuse in the state.

Synopsis of Original Bill

Senate Bill 752 amends statutes governing CYFD. In Section 9-2A-2 PURPOSE, it adds “provide leadership to other agencies that serve children, youth and families to ensure a coordinated and integrated system of care and services for children, youth and families.

In Section 9-2A-4 DEPARTMENT CREATED—DIVISIONS, it changes the department description to the current organization structure.

In Section 9-2A-8 DEPARTMENT—ADDITIONAL DUTIES, it adds the requirement to develop priorities based on national best-practice standards and local considerations. It states CYFD will integrate critical functions including services delivery and contracting across divisions and related agencies. The bill strikes provisions for developing a readily accessible resource database, community and regional councils and a uniform system of access. It adds an emphasis on prevention, encourages a uniform system of access, includes special considerations for children with developmental disabilities or emotional, neurobiological or behavioral disorders. It adds new requirements for the agency to be the lead responsibility among all departments for children's mental health and substance abuse treatment and domestic violence. The agency is to adopt prevention and early intervention as a department focus and to conduct biennial assessments of service gaps and needs. The agency is to establish outcome measures to address those gaps and needs including recommendations from the Governor's Children Cabinet and CYFD advisory committees.

In Section 9-2A-12 CHILDREN, YOUTH AND FAMILIES ADVISORY COMMITTEE CREATED—MEMBERS—PURPOSE, it requires that one member shall be on the Governor's Youth Council.

In Section 9-2A-13 INTERAGENCY COORDINATING GROUP, it adds the statement if the Governor creates a Children's Cabinet through executive order, it will assume the functions and duties of the Interagency Coordinating Group.

Significant Issues

DOH states that multiple initiatives addressing needs of children, youth and families exist; however, "coordination among these initiatives and shared goals and direction is sporadic." This bill would give CYFD authority to integrate these programs. The service delivery system would need to be consistent with federal requirements and could be accomplished under the leadership of a single state agency coordinating these efforts across departments and agencies.

DOL is unsure of the extent CYFD will be involved in providing leadership to other agencies that serve children, youth and families, and requests this be further defined. The agency states if CYFD is to assume the lead for youth job development programs, it would be inconsistent with job training consolidation policies in the federal workforce development statutes.

HPC states the issues that challenge the well-being of New Mexican children span the normal functions of several state agencies leading to disjointed responses to individual issues, rather than a comprehensive, coherent policy for child welfare. However, because CYFD is given the leadership role over other agencies, there may be concerns about ultimate authority and responsibilities over programs.

HSD states it plays a significant role in programs such as mental health, substance abuse treatment and domestic violence services. The agency would have to ensure coordination with CYFD on these matters.

FISCAL IMPLICATIONS

AOC states if the agency is requested to participate on any multidisciplinary task forces, committees or boards, fiscal implications may result.

CYFD states there may be a financial impact in the area of abuse and treatment, mental health, domestic violence and neurobiological or behavioral disorders that may increase agency costs.

ADMINISTRATIVE IMPLICATIONS

CYFD is concerned that there may be an administrative impact to the program divisions. Monitoring service gaps and establishing outcome measurements would involve staff time and expertise.

DOH states procedures between agencies would need to be developed that were agreeable among the agencies for coordinating programs affecting children, youth and families. The agency is also concerned about the contracting requirements and whether the function is to be moved to CYFD. This would impact FTEs and funding.

TECHNICAL ISSUES

CYFD asks whether the Office of the Secretary should be added to Section 9-2A-4A as a division.

CYFD recommends on page 5, line 17 after the "treatment" inserting the word "authority" to comply with the requirements of the U.S. Department of Health and Human Services.

POSSIBLE QUESTIONS

1. Could the new leadership role envisioned be undertaken by the Interagency Coordinating Group or the Governor's Children's Cabinet?

GAC/njw