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## FISCAL IMPACT REPORT

SPONSOR Trujillo DATE TYPED 2/1/04 HB HJM 30

SHORT TITLE Develop Public Health Code Recommendations SB \_\_\_\_\_

ANALYST Dunbar

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	See Narrative				

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to HB22 that would create an Emergency Powers Code.

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
 Department of Health (DOH)  
 Health Policy Commission (HPC)  
 UNM Health Sciences Center

### SUMMARY

#### Synopsis of Bill

House Joint Memorial 30 requests the Department of Health (DOH) with the assistance of the University of New Mexico's Institute of Public Law and other nationally recognized consultants to study the model state public health act developed through the Turning Point initiative. The study would include reviewing the New Mexico Public Health Act and related New Mexico public health statutes and rules. Revision recommendations would be reported to the interim legislative health and human services committee by November 1, 2004 to include the revisions to the Public Health Act during the first session of the forty-seventh legislature in 2005.

#### Significant Issues

All relevant public health statutes are not located within one Act. HJM30 would enable interested parties to find all relevant public health statutes in one place in the New Mexico Statutes

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Annotated, similar to the existing Motor Vehicle Code, Insurance Code the Criminal Code. Included in the requirements is a clear delineation of authority and responsibility for public health agencies for supporting modern disease control measures and to incorporate due process safeguards.

HJM30 has been endorsed by Governor Richardson.

### FISCAL IMPLICATIONS

This process would require significant investment of agency time and resources, as a detailed review and analysis of existing public health statutes and model public health acts would be required. Also, the cost of contracting with nationally recognized consultants would be prohibitive unless additional funding was provided. (Reference is made to “Technical Issues” and “Amendments” below).

### ADMINISTRATIVE IMPLICATIONS

This process would require significant investment of agency time and resources, as a detailed review and analysis of existing public health statutes and model public health acts would be required.

### TECHNICAL ISSUES

The DOH suggests that the requirement for nationally recognized consultants be deleted.

### OTHER SUBSTANTIVE ISSUES

All areas of public health practice and associated legislation would need review, including: vital records and health statistics, epidemiology and outbreak control, emergency preparedness and response, immunizations and other infectious disease prevention and control, chronic disease prevention and health promotion, family health, injury prevention, emergency medical services and health systems development and monitoring. It would be important to include the Human Services Department, the Children, Youth and Families Department and the Aging and Long Term Care Department as “interested parties” described in the bill.

As described by the Centers for Disease Control (CDC), core functions and essential services of the public health system are:

- ❑ Assessment: Regular collection, analysis, interpretation and communication of information about health conditions, risks, and assets in a community.
- ❑ Policy Development: Development, implementation, and evaluation of plans and policies, for public health in general and priority health needs in particular, in a manner that incorporates scientific information and community values.
- ❑ Assurance: Ensuring, by encouragement, regulation, or direct action, that programs and interventions that maintain and improve health are carried out.

The HPC states Chapter 24 Health and Safety, NMSA 1978 addresses at least 39 public health articles, which include components varying from Rural Primary Health Care to Immunizations to Vital Records and Health Statistics to Clean Indoor Air.

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The Turning Point Model State Public Health Act could affect many, if not all, of those articles.

#### **AMENDMENTS**

The DOH requests an amendment stating that DOH would take the lead in this proposed study, as the statutes involved directly affect the functioning of Department.

Page 2, line 15 delete the words “nationally recognized consultants”.

Page 2, line 6 - delete the word “national”. Text should read “The Turning Point Public Health Statute Modernization Collaborative,” which is the name of the collaborative, comprised of national representation.

P. 3, Line 2, Change “Agency on Aging” to “Aging and Long Term Care Department”

Page 3, line 3, and add “University of New Mexico School of Medicine Institute of Public Health.”

**BD/lg**