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FISCAL IMPACT REPORT

SPONSOR Cordova **DATE TYPED** 3-7-05 **HB** 684/aHAFC

SHORT TITLE Gambling Addiction Study Including Suicide **SB** _____

ANALYST Collard

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			Minimal		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

Department of Health (DOH)

Gaming Control Board (GCB)

SUMMARY

Synopsis of HAFC Amendment

The House Appropriations and Finance Committee amendment to House Bill 684 removes the appropriation. DOH will still be responsible for all things listed under administrative implications, thus there will likely be a minimal impact to the department to carry out these items.

Synopsis of Bill

House Bill 684 appropriates \$110 thousand from the general fund to DOH for the purpose of conducting on-going studies of the incidence of suicide (deaths and attempts) and bankruptcies that involve gambling debt and compulsive gambling behavior. The funds would allow for gathering data, under the auspices of DOH in coordination with law enforcement agencies, medical personnel and bankruptcy court. The bill requires DOH to report its findings to the legislature every five years, beginning in FY07.

Significant Issues

Two populations are defined among which gambling addiction would be investigated: suicide deaths and attempts and persons who filed for bankruptcy in New Mexico. DOH indicates the bill may benefit by clearly defining case definition for the study and implementation.

The bill also assumes that DOH has authority to “adopt rules” for suicide investigations. It requires access to bankruptcy information that DOH indicates is currently not available.

FISCAL IMPLICATIONS

The appropriation of \$110 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY06 shall revert to the general fund.

ADMINISTRATIVE IMPLICATIONS

DOH indicates the appropriation for this study would need to support interviews of family members of the deceased to determine whether a gambling addiction contributed to the suicide; attendance at meetings with creditors and the Panel of Trustees appointed by the US Bankruptcy Court for the District of New Mexico; and data abstraction from the bankruptcy “Statements of Financial Affairs” (including listing of losses) to determine if the victim had gambling debts.

DOH states the bill would require the expertise of staff of the Epidemiology and Response Division and the Behavioral Health Services Division’s Community Program Bureau. The multiple startup requirements for each topic in the study in FY06 mandated in the bill would require more than one dedicated FTE.

The department also indicates it will be challenging for medical personnel and law enforcement to ascertain whether deceased persons were problem gamblers. Data would have to be gathered from family, if present and consenting. Unless gambling addiction has been clinically diagnosed and documented by a practitioner, additional training may be required for data collectors since it is not standard procedure to explicitly identify gambling involvement or addiction.

In addition, medical personnel would have to be specifically instructed to determine problem gambling among hospitalized persons who have attempted suicide since emergent health conditions would routinely be attended first.

TECHNICAL ISSUES

DOH indicates gambling addiction and compulsive gambling is a diagnosable illness defined and recognized by the American Psychiatric Association. The bill asks DOH to define what constitutes a compulsive or problem gambler; there would have to be dialogue around the purpose of the study and validity of findings, given the case definition differs from clinical medical illness.

DOH notes page 1, section B line 24 requires DOH “to adopt rules requiring that all suicide deaths or attempted suicides identified by law enforcement agencies or medical personnel be investigated to determine if the victim had gambling debts or compulsive gambling behaviors that may have been a factor in the cause of the suicide or the attempted suicide”. The jurisdiction or

authority to investigate deaths and the factors contributing to death is currently located in the Office of Medical Investigator, which is attached to the University of New Mexico and not within DOH.

Finally, DOH notes bankruptcy court petitions do not require the identification of gambling loses.

OTHER SUBSTANTIVE ISSUES

DOH data shows there is a growing need to understand the impact of gambling in New Mexico. The New Mexico Council on Problem Gambling received 3,814 calls to its crisis help line in calendar year 2003. The intent of the bill is to reveal, examine and track the latent and tragic results of problem gambling.

DOH also indicates suicide attempts among problem gamblers are much more frequent than among the general population, and more common with gambling addiction than with other addictions. Several studies show that problem gambling is associated with suicide and suicidal ideation and risk of suicide can be compounded by substance abuse.

The Office of Medical Investigation (OMI) operating out of the University of New Mexico Health Sciences Center is the entity charged with the responsibilities for investigating any death due to violence (including suicide) not the Department of Health. Responsibility and funding for establishing procedures and training relating to the determination of gambling related deaths should be given to OMI.

New Mexico is a closed record state for birth and death certificates (NMSA 1978 24-15-27), which means that death records are not public records. The state registrar has the discretion to release information from death records to federal state, local and other public or private agencies for statistical or administrative purposes (NMSA 1978 24-14-28 D) but procedures would have to be established to link all the necessary pieces of information from the different agencies involved in order to establish that a death was a suicide and related to gambling.

KBC/yr:njw