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## FISCAL IMPACT REPORT

SPONSOR Altamirano DATE TYPED 02/08/05 HB \_\_\_\_\_

SHORT TITLE Hispanic Affairs Act SB 353

ANALYST Weber

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$250.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

- Human Services Department (HSD)
- Department of Health (DOH)
- Economic Development Department (EDD)
- Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of Bill

Senate Bill 353 appropriates \$250.0 thousand from the general fund to create the Office of Hispanic Affairs that is administratively attached to the Human Services Department. The Governor will appoint the director with other necessary employees subject to the provisions of the Personnel Act.

The Office is charged with the responsibility of studying a wide range of issues important to Hispanics from history and culture to economic and social issues, health and teen pregnancy. The Office shall also secure recognition of Hispanics' accomplishments, cooperate with and assist public and private entities dealing with issues important to Hispanics, conduct conferences throughout the state to inform Hispanics of opportunities in the public and private sector and encourage Hispanics to participate in a variety of activities important to Hispanics.

The Office shall also coordinate all state agencies' services and activities relating to Hispanics, encourage funding for education programs, prepare and submit a budget and publish an annual

report. The Office may also promulgate rules pursuant to the State Rules Act to carry out the duties of the Office.

### Significant Issues

The Department of Health notes the following.

Currently, Hispanics comprise 42.1% of the New Mexico population; they are the overwhelmingly largest "minority" population in the state, and the percentage is increasing, according to the US Census estimate of 2003.

Health data demonstrate the disparate health outcomes relative to Hispanics in New Mexico. For example, under the age of 65 Hispanics have higher death rates than do White non-Hispanics (New Mexico Selected Health Statistics 2002). A recent study conducted by the Department of Health pursuant to SJM 13 from the 2004 legislative session showed that health care providers are not adequately prepared to:

- Provide services to patients whose language and culture are different from their own; and
- Provide services that are culturally appropriate for the patients they serve.

This is particularly true where language and cultural differences exist, such as is the case for Hispanics.

### **FISCAL IMPLICATIONS**

The appropriation of \$250 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.

### **OTHER SUBSTANTIVE ISSUES**

The Department of Finance and Administration contributes.

It is not clear why this new agency is attached to the Human Services Department (HSD) nor is it clear what HSD's responsibility would be. If the funding for the Office of Hispanic Affairs is to hire staff, then that should include staff to perform administrative functions so HSD would not have to assume any administrative burden. SB 353 is very ambitious in the number and intent of duties assigned to the new office. The appropriation would only allow for a small staff after a director is chosen and it is doubtful that this staff could perform all the duties anticipated by this legislation.

SB 353 calls for the new Office to function as the coordinating office for all services and activities of state agencies and programs pertaining to Hispanics. Combined with the agency's ability to promulgate rules, this function may seriously conflict with any other programs underway in other agencies. There are many programs that "pertain" to Hispanics either directly or indirectly. Such an agency might concern itself primarily with programs that are "unique" to Hispanics to minimize conflicting with existing programs.

MW/yr