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## FISCAL IMPACT REPORT

ORIGINAL DATE 1-21-06

SPONSOR Boykin LAST UPDATED \_\_\_\_\_ HB 87

GRANDPARENTS & KINSHIP CAREGIVER

SHORT TITLE SUPPORT SB \_\_\_\_\_

ANALYST Lucero

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$405.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB270,

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Children, Youth and Family Department (CYFD)

Aging and Long Term Care Department (ALTCD)

### SUMMARY

House Bill 87 appropriates \$405.0 from the GENERAL FUND for expenditure in 2007 to Children, Youth and Family Department for the purpose of supporting grandparents and kinship caregivers.

This bill specifies:

- \$75.0 for staff, travel and support for an advisory committee on grandparents and kinship caregivers.
- \$80.0 to create a kinship caregivers web site.
- \$250.0 to contract with legal services to support kinship caregivers' efforts to establish legal relationships between children and caregivers for children who would otherwise enter the foster care system.

### FISCAL IMPLICATIONS

This bill contains the recommendations in SJM50 from the 2005 legislative session. The appropriation amounts in this bill match those as submitted in the SJM 50 report of November 2005.

Of the \$250,000 in this bill earmarked for legal services, \$200,000 was recommended in the executive's budget to go to ALTSD. H AFC has adopted the Exec budget recommendations for ALTSD; therefore \$200.0 of the \$250.0 is already funded.

The appropriation of \$405.0 contained in this bill is a RECURRING expense to the GENERAL FUND. Any unexpended or unencumbered balance remaining at the end of 2007 shall revert to the GENERAL FUND.

### **SIGNIFICANT ISSUES**

ALTCD provides the following comment:

“When parents are not able to care for their children or when parental care results in abuse or neglect, it is the responsibility of the state to provide for the safety of the children. In New Mexico, where the culture of the extended family is strong, grandparents, siblings and other relatives frequently assume the parenting responsibilities for periods of time ranging from a few days to a lifetime. This familial solution provides children with a connection to their family of origin and reduces the financial and administrative burden on the state, but it frequently adds a severe financial, physical, and emotional burden on elderly family members. The purpose of SJM 50 is to research the impact of these familial arrangements on both children and caregivers and assure that these families receive the support services the state would otherwise be providing for these children by CYFD, ALTSD other state agencies.

In New Mexico, there are 41,085 children living in grandparent-headed households (8.1% of all the children in the state). There are another 10,572 children living in households headed by other relatives (2.1% of all the children in the state).

In New Mexico, 54,041 grandparents report they are responsible for their grandchildren living with them [4,272 in Albuquerque]: 2% of these grandparents are African American; 53% are Hispanic/Latino; 20% are American Indian or Alaskan Native; and 23% are White. 30% of these grandparents live in households without the children's parents present.”

### **ADMINISTRATIVE IMPLICATIONS**

The bill appropriates \$80.0 to create a kinship caregiver web site; however, it does not provide for on-going maintenance and administrative costs to keep the web site going after 2007. The language may want to be changed to “create and support” a kinship caregiver web site or else CYFD would have to absorb any additional administrative costs.

There is \$250,000 dedicated for legal services in this bill that the executive recommended in the base ALTSD recommendation. H AFC, having adopted the executive recommendation for ALTSD, has funded most of the legal service need.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Duplicates SB0270

### **TECHNICAL ISSUES**

### **House Bill 87 – Page 3**

The bill appropriates \$75.0 for staff, travel and support for an advisory committee on grandparents and kinship caregivers. The bill does not specify who should be on the advisory committee or who would be the committee lead. SJM50 recommends a standing committee composed of staff from Aging and Long Term Care Department, Children, Youth and Family Department, Human Services Department, Public Education Department, Department of Corrections, Administrative Office of the Courts.

If most of the legal fees have been “covered” in the HAFC adoption of the executive recommendation, the allocation of funds in this bill can be reduced or reallocated. If the appropriation is not reduced or reallocated, then the legal fees will have been appropriated twice, once to CYFD and once to ALTSD.

### **OTHER SUBSTANTIVE ISSUES**

This bill does not specify whether the children identified in the bill must be in the custody of CYFD, involved in the judicial system, or simply living with the grandparents or kinship caregivers.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo

DL:nt