

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Heaton ORIGINAL DATE 02/02/07
LAST UPDATED _____ HB 605
SHORT TITLE Health Professionals at Declared Emergencies SB _____
ANALYST Hanika Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$.1	recurring	General fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

Workers' Compensation Administration

SUMMARY

Synopsis of Bill

House Bill 605 provides that an unpaid health professional deployed by the Department of Health (DOH) responding to a declared emergency shall be considered a public employee for purposes of the Workers' Compensation Act. HB 605 will include practitioners deployed by the department both in-state and outside the state pursuant to the Emergency Management Assistance Compact. The legislation explicitly includes licensed pharmacists in the definition of "health care provider".

FISCAL IMPLICATIONS

The Workers' Compensation Administration reports that there will only be a slight increase in workers' compensation cases resulting from this bill.

SIGNIFICANT ISSUES

House Bill 605 will make DOH the employer of record for purposes of workers' compensation coverage. Currently, there is no provision in statute for coverage when a health professional responds to an emergency situation.

New Mexico Serves, a DOH sponsored health professional registry, assists in identifying health professionals willing to be deployed for public health emergencies in New Mexico and other states affected by large-scale disasters. These unpaid health professionals make a heroic commitment to provide services under dangerous conditions, risking their lives and health to serve in a time of need. Injury and death benefits otherwise available to health professionals through their employers may not be available when providing services in a declared emergency; leaving those individuals potentially unprotected for injuries they may suffer. New Mexico law does not currently provide a system for ensuring the availability of injury and death benefits, making it less likely health professionals will respond to DOH requests during declared emergencies.

PERFORMANCE IMPLICATIONS

The Workers' Compensation Administration states that this bill has not been approved by the Workers' Compensation Advisory Council.

ADMINISTRATIVE IMPLICATIONS

DOH has developed a health professional registry to assist the department in rapid deployment of public health and medical assistance for in-state and out-of-state declared emergencies. Because the registry is already in place, HB605 will not result in any significant additional administrative work for DOH staff.

TECHNICAL ISSUES

The bill's intent may be clearer if each reference to "emergency" be replaced by "**state declared public health emergency**".

OTHER SUBSTANTIVE ISSUES

Thirty-one of New Mexico's counties are designated, entirely or partially, as primary medical care shortage areas by the federal government. These counties will require assistance from DOH to ensure adequate public health services and medical care during a declared emergency.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Unpaid health care providers who are deployed by DOH during an emergency will not be considered public employees for purposes of the Workers' Compensation Act.

AMENDMENTS

On pg 5, (N), line 18, delete the words "behavioral health services division of the" as DOH reflects this language is not necessary and may cause confusion.

AHO/mt