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FISCAL IMPACT REPORT

ORIGINAL DATE 02/22/09
 SPONSOR Picraux LAST UPDATED 02/26/09 HJM 25/aHAFC
 SHORT TITLE Develop Domestic Violence Forensic Exam SB _____
 ANALYST Hanika-Ortiz

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$0.1 Unknown	\$0.1 Unknown		Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Health Policy Commission (HPC)
 Aging and Long-Term Services Department (ALTSD)
 Children, Youth & Families Department (CYFD)

No Responses Received From

Department of Health (DOH)

SUMMARY

Synopsis of HAFC Amendment

The House Appropriations and Finance Committee amendment removes the requirement that the task force only study the SANE program in Albuquerque, extending the scope of the study throughout the state.

Synopsis of Original Bill

House Joint Memorial 25 requests the Department of Health (DOH) convene a task force to study the efficacy of developing a model of medical forensic examinations for victims of domestic violence in Albuquerque that could be replicated statewide.

The Memorial provides for the following:

- sexual assault nurse examiners, "SANE", nurses provide immediate, compassionate, culturally sensitive and comprehensive medical treatment and forensic evaluation to victims of sexual assault;

- there are currently ten SANE units in New Mexico;
- Albuquerque SANE nurses have been providing medical forensic examinations to victims of sexual assault in the Albuquerque metro area for twelve years;
- these services are provided free of charge to anyone regardless of gender, income or age and are available twenty-four hours per day, seven days a week;
- during 2007, four hundred fifty medical forensic examinations were provided in Albuquerque, and an estimated five hundred examinations were provided in 2008;
- the Albuquerque SANE program is co-located with the Albuquerque family advocacy center, which provides many services for victims of domestic violence;
- law enforcement units dealing with sex crimes, homicide, crimes against children and domestic violence are also co-located with the Albuquerque family advocacy center; and
- victims of domestic violence who are served by Albuquerque family advocacy services could also be afforded the opportunity to receive medical forensic evaluations by SANE nurses in this safe and nonjudgmental environment.

FISCAL IMPLICATIONS

DOH will incur costs for providing staff and resources to facilitate the task force. Task force members may be able to receive compensation pursuant to the Per Diem and Mileage Act. Any additional fiscal to state agencies will be determined by what recommendations made by the task force are ultimately implemented.

The task force is to identify recurring costs by using the SANE model as the foundation of this new model of services.

In some states, the costs for examinations and care by SANE nurses are billed to health insurance companies. It is not clear if this would also be true for medical forensic examinations of victims of domestic violence.

SIGNIFICANT ISSUES

ALTSD notes that this memorial directs DOH to create a task force to study the efficacy of developing a program based on the SANE model of medical forensic examinations designed for use with victims of sexual assault, for use with victims of domestic violence. The Albuquerque SANE program model currently in use includes co-locating services in the Albuquerque Family Advocacy Center. The Advocacy Center houses many domestic violence service providers in a single location, including law enforcement units who deal with sex crimes and domestic violence.

According to the Incidence and Nature of Domestic Violence VIII data analysis of 2007 data from the New Mexico Interpersonal Violence Central Data Repository, 1 in 3 women and 1 in 7 men will experience domestic violence in their lifetime and 45% of domestic violence victims' statewide report being sexually assaulted.

Under the proposed model, domestic violence victims served by the Albuquerque Family Advocacy Center would be afforded the opportunity to receive medical forensic evaluations by SANE nurses in safe and nonjudgmental environment. Domestic violence victims seeking medical attention are treated only for presenting injuries and the underlying cause of those injuries are left unaddressed. With this type of forensic exam, victims would receive specialized medical services focused on assessing trauma, treating it and documenting it for the victim.

PERFORMANCE IMPLICATIONS

The task force would include representation from providers of services to victims of sexual assault and domestic violence from the Albuquerque Family Advocacy Center, which is co-located with the Albuquerque Sexual Assault Nurse Examiner (SANE) program.

The finding and recommendations of the task force will be presented to the legislative Health and Human Service Committee by November 1, 2009.

ADMINISTRATIVE IMPLICATIONS

The memorial directs DOH to create a task force to study developing a program based on the SANE model for use with victims of domestic violence.

TECHNICAL ISSUES

People who are elderly or disabled are vulnerable to domestic violence, including sexual assault. The proposed task force should include representation from ALTSD as that department is involved in investigations of adult sexual abuse and physical abuse.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

DOH will not be requested to convene a task force to study this issue.

AHO/mt:svb