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FISCAL IMPACT REPORT

ORIGINAL DATE 02/05/10

SPONSOR Arnold-Jones LAST UPDATED _____ HJM 50

SHORT TITLE Study Need for Language Support Professionals SB _____

ANALYST Pava

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	NFI	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Dept. of Health (DOH)

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Joint Memorial 50 calls for a study to be conducted collaboratively by the New Mexico Departments of Health, Human Services, Children Youth & Families, Public Safety, and the Administrative Office of the Courts regarding the need to license language support professionals to ensure that limited English speaking persons are represented and receive due process in all aspects of state government, especially those relating to legal and medical services. Recommendations would be made to the appropriate interim Legislative Committee by December 1, 2010.

FISCAL IMPLICATIONS

There is no appropriation included in this house joint memorial.

SIGNIFICANT ISSUES

AOC notes: They have taken leadership in this area with the creation of the NM Justice Interpreter Resource System Partnership and the NM Center for Language Access, a collaborative effort with UNM Los Alamos. The state departments of Public Safety, Corrections, CYFD, Public Defenders and the Administrative Office of the District Attorney are already members of the Justice System Interpreter Resource Partnership. This existing collaboration provides some foundation for moving forward with a study.

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Licensing spoken language professionals is consistent with New Mexico's recently implemented licensing requirements for signed language interpreters. However, it's a time consuming and layered process, which will require significant resources in terms of staff time from all agencies and the interpreter community.

The US Dept. of Justice states "With regards to courts, the DOJ Title VI LEP guidance states that 'every effort should be taken to ensure competent interpretation for LEP individuals (including parents of non-LEP minors) during all hearings, trials, and motions.... free of charge.

PERFORMANCE IMPLICATIONS

The courts are participating in performance-based budgeting. This bill may have an impact on measures of cases disposed of as a percent of cases filed and the percent change in case filings by case type. HJM 50 relates to the DOH FY11 Strategic Plan: Goal 2: Improving Community Health; Objective 1: Reduce Health Disparities in New Mexico.

ADMINISTRATIVE IMPLICATIONS

DOH Staff would be required to be part of the study taskforce.

There will be administrative costs for developing and administering such a study. AOC already certifies court interpreters and has created the NM Justice System Interpreter Resource Partnership, so some work of the study is in place. However, staff resources for equal AOC participation are limited without additional funds.

COMPANIONSHIP OR RELATIONSHIP

HJM50 relates to SB143 that would mandate Executive Branch Offices to develop standards and procedures for communicating with deaf individuals and to employ liaisons for deaf individuals.

OTHER SUBSTANTIVE ISSUES

Providing verbal and language access to limited English speaking individuals is one strategy to help reduce health disparities in New Mexico.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If HJM 50 calls attention to and increases the use of qualified interpreters and translators by state government, it will move the state toward compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. The lack of current compliance poses risk to federal funding.

CP/svb