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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 1st Session, 2019

Bill Number	<u>HB574/aHEC</u>	Sponsor	<u>Powdrell-Culbert/Harper</u>
Tracking Number	<u>.211983.1</u>	Committee Referrals	<u>HEC/HAFC</u>
Short Title	<u>Drug Counseling Pilot Project</u>		
Analyst	<u>Stiles</u>	Original Date	<u>2/21/19</u>
		Last Updated	<u>2/26/19</u>

BILL SUMMARY

Synopsis of HEC Amendment

The House Education Committee Amendment to HB574 (HB574/aHEC) would strike language creating the “drug counseling pilot project,” as a five-year pilot project and instead makes it a two-year pilot project.

Synopsis of the Original Bill

House Bill 574 (HB574) would create the “drug counseling pilot project,” a five-year pilot project in the Rio Rancho Public School district (RRPS) to determine whether having licensed alcohol and drug abuse counselors available to students in public schools helps alleviate the growing addiction crisis facing youth and young adults in New Mexico; improves school attendance and lowers truancy rates; and better prepares students to set and achieve goals toward a drug-free life.

FISCAL IMPACT

The bill would appropriate \$300 thousand from the general fund to the drug counseling pilot project fund for expenditure in FY20. Any unexpended or unencumbered balance remaining at the end of FY20 shall not revert to the general fund until the pilot project is complete.

HB574/aHEC would create the drug counseling pilot project fund as a non-reverting fund in the state treasury. The fund would consist of private gifts, grants, and donations, which RRPS and the Public Education Department (PED) would be required to seek to benefit the pilot program. The fund would be required to be administered by PED and expenditures from the fund would be required to be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of public education or the secretary’s designated representative. HB574/aHEC would require money in the fund to be used to pay salaries and benefits for at least three alcohol and drug abuse counselors employed by RRPS for the term of the pilot project and necessary supplies and equipment for the counselors. Money in the fund would also be permitted to be used by RRPS with the approval of PED to purchase additional goods and services necessary for the success of the pilot project. Any unexpended or unencumbered balance remaining at the

end of the pilot project would not revert to the general fund until the project is complete. PED notes it cannot determine the fiscal implications of this bill to the department at this time.

The Legislative Finance Committee notes the bill creates a new fund and provides for continuing appropriations, which could reduce the ability of the Legislature to establish spending priorities in the future. It is unclear if a temporary pilot program, which would initially only benefit one school district in New Mexico, would warrant the creation of a separate fund within the state.

SUBSTANTIVE ISSUES

While drug and alcohol use among youth in New Mexico has been declining in the last ten years, the Department of Health (DOH) notes in 2017 New Mexico had the 17th highest drug overdose death rate in the country. The 2017 *New Mexico Youth Risk and Resiliency* survey, produced by DOH, PED, the University of New Mexico Prevention Research Center, and Sandoval County, where RRPS resides, shows similar youth drug and alcohol use as the state average. The 2017 survey showed 27.3 percent of ninth- 12th grade students statewide used marijuana to get high. Out of the students surveyed, 6.9 percent used painkillers to get high, 3.2 percent used methamphetamines, and 2.8 percent used heroin. This was an improvement, as a 2009 survey showed 14.2 percent of students surveyed in ninth-12th grade used painkillers to get high, and methamphetamine and heroin use was slightly higher in 2009. The 2017 survey also showed a steep decline in high school alcohol consumption trends between 2005 and 2017.

HB574/aHEC would require RRPS in consultation with the PED to create a two-year drug counseling pilot project designed to determine whether having licensed alcohol and drug abuse counselors available to students in public schools helps to alleviate youth drug and alcohol addiction in the state, however the pilot project would only take place in one school district. The project would also be used to determine if access to drug counselors improves attendance and better prepare students to set and achieve goals toward a drug-free life. The program would be required to include benchmarks, performance measures, and student and personnel evaluations, to test the efficacy of having alcohol and drug abuse counselors in public schools.

PED notes alcohol problems have been linked to poor attendance, lower grades, and increased dropout rates. Substance abuse is also linked with violent behavior in students. PED notes school-based interventions can be an effective strategy for alcohol and drug prevention, providing a systematic way of reaching young people.

HB574/aHEC would require RRPS to employ at least three licensed alcohol and drug abuse counselors who are licensed by the counseling and therapy practice board or school counselors who specialize in alcohol and substance abuse and are licensed by PED for the term of the pilot project. The counselors will be required to act as a resource for students struggling with drug abuse or addiction. The school district would be required to decide how to deploy the counselors. DOH notes Albuquerque Public Schools has operated Crossroads, a substance abuse and prevention/intervention program for high school students. The program services are delivered by a group of licensed school counselors with training and experience in the field of substance abuse. The Education Commission of the States shows many states have enacted policies to address student use of drugs and alcohol by requiring health curriculum, prevention education, student surveys, and treatment programs. New York, for instance, offers schools substance abuse prevention and intervention specialists to provide prevention programs, intervention services, and counseling to students in an attempt to prevent the escalation of substance abuse concerns.

ADMINISTRATIVE IMPLICATIONS

HB574/aHEC would require RRPS in consultation with PED to design and administer the drug counseling pilot project. The bill would also require PED to administer funds for the project. PED and RRPS would also be required to produce annual reports for the appropriate legislative committees for the duration of the project, and to submit a final report to the governor and Legislature with recommendations at the end of the project.

TECHNICAL ISSUES

Page four, line six through eight, “Any unexpended or unencumbered balance remaining at the end of the pilot project would not revert to the general fund until the project is complete” may be repetitive.

RELATED BILLS

HB2/HAFCS, General Appropriation Act of 2019, funds the public school at-risk formula factor at 0.25, more than doubling the previous factor. These funds could be used to support drug and alcohol abuse counselors.

HB236, Attendance for Success Act, includes a section that would create partnerships between public schools and community organizations, including organizations that provide drug and alcohol abuse counseling.

SOURCES OF INFORMATION

- LESC Files
- Department of Health (DOH)
- Legislative Finance Committee (LFC)
- Public Education Department (PED)

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