

LFC Requester:

Carlie Malone

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**  
***(Analysis must be uploaded as a PDF)***

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 1/29/26 **Bill Number:** HB202 **Original**  **Amendment**  **Substitute**

**Short Title:** AGENCIES TO SHARE DATA WITH OFFICE OF CHILD ADVOCATE

**Sponsor:** Rep. Rebecca Dow

**Name and Code Number:** HCA 630

**Person Writing:** Tim Thackaberry

**Phone:** 505-309-2127 **Email:** timp.thackaberry@hca.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
\$0	\$0	NA	NA

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
\$0	\$0	\$0	NA	NA

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY26</b>	<b>FY27</b>	<b>FY28</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	\$0	\$0	\$0	\$0	NA	NA

(Parenthesis ( ) Indicate Expenditure Decreases)

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

HB202 requires multiple state agencies to enter into a multi-agency Memorandum of Understanding (MOU) with the Office of Child Advocate for data sharing and systems access. The seven (7) agencies involved are: Administrative Office of the Courts, Children, Youth and Families Department (CYFD), Department of Health (DoH), Department of Public Safety (DPS), Early Childhood Education and Care Department (ECECD), Health Care Authority (HCA), and the Public Education Department (PED).

The bill dictates that a working group comprised of all the participating agencies, the Attorney General, and the Department of Information Technology (DoIT) convene by June 15, 2026. This group must finalize and execute the MOU by October 15, 2026.

The MOU must do the following:

- Define the purpose and scope of data/system access;
- Identify specific data and access levels;
- Prescribe methods for sharing, storing, and securing data;
- Require audit logging for sensitive data, a breach response plan, and oversight and reporting mechanisms; and
- Ensure compliance with HIPAA (Health Insurance Portability and Accountability Act), FERPA (Family Educational Rights and Privacy Act), and court rules and cybersecurity standards.

The MOU must undergo legal and technical review by all parties and copies of the executed document must be submitted to key legislative and executive bodies by November 1, 2026.

The bill appropriates \$75,000 from the general fund to the Office of Child Advocate for FY26 and FY27 for technical services to implement the act.

**FISCAL IMPLICATIONS**

There is no direct fiscal impact on HCA because of this bill.

## **SIGNIFICANT ISSUES**

Representatives from the ITD Office of Data Analytics will play a key role in terms of HCA's involvement in the working group mandated by the bill. Whatever the working group agrees to will need to meet HCA's standards related to data integrity, data security, and data interchange. Data interchange among multiple external entities is always more complex than initially anticipated, and the effort will require significant input from OGC to ensure that all relevant laws and regulations are being considered.

## **PERFORMANCE IMPLICATIONS**

The ITD Office of Data Analytics has multiple other initiatives in flight and is already working with multiple external entities on other data interchange projects. We will need to prioritize the time of the ITD Office of Data Analytics carefully to ensure that the demands of this bill can be met while still allowing them to meet their other obligations.

## **ADMINISTRATIVE IMPLICATIONS**

As defined explicitly in the bill, HCA will need to work with nine (9) other governmental entities (Office of the Child Advocate, NMDOJ, DoIT, the Administrative Office of the Courts, CYFD, DoH, DPS, ECECD, and PED) to meet its requirements. Coordination among this many external entities will be administratively demanding, especially considering the timelines laid out by the bill.

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

### **TECHNICAL ISSUES**

No other technical issues are noted.

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

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

Status quo

### **AMENDMENTS**