

LFC Requestor: Carlie Malone

2026 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House

Category: Bill

Number: 202

Type: Introduced

Date (of THIS analysis): 2/5/2026

Sponsor(s): Rebecca Dow and Gail Armstrong

Short Title: Multi-Agency Child Data Sharing Memorandum

Reviewing Agency: Information Technology

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 26	FY 27		
\$37.5	\$37.5	Nonrecurring	General

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 26	FY 27	FY 28		
\$0	\$0	\$0	NA	NA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 26	FY 27	FY 28	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$385.32	\$192.66	\$577.98	Non-recurring	General

The work to implement data sharing and system access pursuant to the required MoU would require significant time and resources. Without knowing which data needs to be shared with the Office of Child Advocate, and therefore not knowing which Department of Health (DOH) systems data extraction will need to be implemented on, the most basic implementation possible to provide data to the Office of Child Advocate would be the below.

1. Data will need to be extracted into .CSV files from approximately six DOH systems related to children.
2. Data will need to be transferred to a secure storage location the Office of Child Advocate will have access to.
3. Office of Child Advocate will be responsible for collating the data provided by all agencies.

However, it is extremely unlikely that the Office of Child Advocate will have the resources to build a system, deduplicate data between multi-agency systems, perform record matching between multi-agency systems etc. If data will need to be deduplicated between systems, or Extract, Transform, Load (ETL) operations need to be performed to provide consistent field naming, data types, field content (discreet fields for first, MI, last vs. Full name), mapping of foreign key relationships for normalized data tables (1 = Albuquerque, 2 = Bernalillo, 3 = Santa Fe etc.) for consistency across all agencies providing data etc. Then the budget impact is going to be significantly higher.

Assuming the latter, more complex data sharing option, DOH would need at least the following:

Contract Senior Level Application Developer: \$300,105 per annum (including GRT)

Contract Middle Level Project Manager: \$277,875 per annum (including GRT)

Total: \$577,980 per annum (including GRT)

(rates are according to the State Wide Purchasing Agreement's rates for Application Support and Development Services, and IT Project Management Services)

Since the MOU is set to be enacted by October 15, 2026, if the work started in November 2026, the costs would be:

FY27: \$385,320 (eight months starting November 1, 2026 - June 30th, 2027)

FY28: \$192,660 (four months starting July 1, 2027 - October 31, 2027)

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

House Bill 202 (HB202) seeks to create a single Memorandum of Understanding (MoU) between the 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) for the purposes of data sharing and potentially access to certain agency systems with the Office of Child Advocate.

The MoU will identify relevant data and systems and prescribe the infrastructure for sharing / storing data or providing access to data systems, security measures and protocols for sharing, audit logging of data access, breach plan, oversight and reporting, with provisions to ensure compliance with Federal, State, Local, Tribal and Territorial (FSLTT) mandates for data protection and access.

This must be completed and signed and provided by October 15, 2026, with copies distributed by November 1, 2026.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

This bill covers the creation of the MoU, which calls for seven agencies to collaborate with the Office of the Child Advocate, the Department of Information Technology and the Attorney General to create the memorandum. The memorandum will identify the purpose and scope of data-sharing and may include agency-specific appendices to address confidentiality or other matters. The timeline for the creation of this complex document seems likely to be an underestimation.

The bill does not cover the work required to implement the data sharing / access with Office of Child Advocate. Depending upon which systems house relevant data and what methods may or may not exist for providing access to external agencies or extraction of data, this will likely require the creation of a meta system to collect and correlate the data provided by the various agencies this bill mentions. The appropriation of \$75K is inadequate to create a meta data system. Even if such a system was determined not to be necessary, at minimum, a secure data storage location to collect the data provided by the various agencies would need to be created, managed and maintained, and there is likely a recurring annual cost associated with this. The execution would create a fiscal impact on NMDOH specifically which is detailed above.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No
- Is this proposal related to the NMDOH Strategic Plan? Yes No

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

The DOH will likely need a contract Project Manager and Application Developer for a period of one year to extract data into something usable by the Office of Child Advocacy. If one year is an unacceptable timeframe, then we will likely need a second Application Developer to expedite the process.

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

As much of this data is likely protected by HIPAA, and the most basic tenant of HIPAA is minimum necessary access/data, it would likely prove difficult to provide direct access to DOH systems so that they can only see the exact data they need. This means providing data extracts.

8. DISPARITIES ISSUES

The Office of the Child Advocate has oversight over the New Mexican child welfare system. As such, this proposal would impact children within that welfare system. This would include foster youth, children involved in the criminal justice system, babies born substance exposed and others.

9. HEALTH IMPACT(S)

None.

10. ALTERNATIVES

No.

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB202 is not implemented, there will be no statutory requirement for a multi-agency MOU on sharing of children's data.

12. AMENDMENTS

None