

**Fetal Alcohol Spectrum Disorders (FASDs)** are a group of life-long, neurodevelopmental conditions that can occur in a person whose mother drank alcohol during pregnancy.<sup>1</sup>

- This life-long developmental disability is the result of underlying structural differences in the brain, as evidenced by changes in the corpus callosum, decrease in brain size, damage to the basal ganglia, or reduced size of the cerebellum.<sup>2</sup>
- People with FASDs have the following deficits:
  - Impaired neurocognitive functioning diminishing their cognitive abilities, executive functioning, learning, memory, and visual-spatial reasoning.
  - Impaired self-regulation abilities, which impact their mood or behavior, attention, and impulse control.
  - Impaired adaptive functioning, which can diminish their abilities in the areas of language, social communication and interaction, daily living skills, and motor skills.<sup>1,2</sup>
- People with FASDs can function similarly to those with Intellectual Disabilities, and without supports are extremely vulnerable to victimization and negative life outcomes:
  - Only 20% of people with FASDs are able to live independently
  - Only 20% can function without employment supports
  - 90% may develop secondary mental health issues, when not adequately supported
  - 60% have disrupted school experience
  - 60% have trouble with the law
  - 50% experience confinement
  - 72% have experienced domestic violence or abuse.<sup>3,4</sup>

One protective factor for a person with an FASD is to receive state Developmental Disability services.<sup>3,4</sup> However, New Mexico residents with FASDs are currently being denied DD Waiver eligibility.

- New Mexico's DD Waiver eligibility determinations currently utilize an antiquated list of diagnoses that are the ONLY specific related conditions eligible for the NM DD Waiver, even if the person has a diagnosed syndrome or disorder and meets the adaptive functioning criteria.
- Fetal Alcohol Syndrome and FASDs were specifically "whited out" from this list in the NM Administrative Code.<sup>5</sup>
- People with FASDs in New Mexico are currently erroneously EXCLUDED from the related conditions eligibility category and are being denied DD Waiver services.

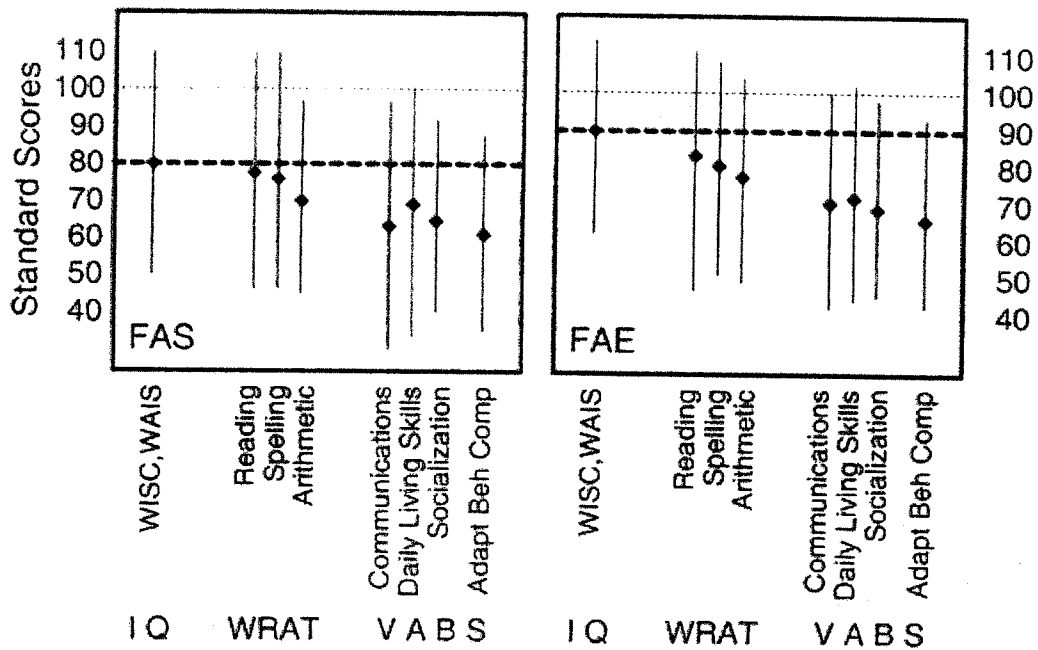
New Mexico needs to add Fetal Alcohol Spectrum Disorders to the list of DD Waiver eligible specific related conditions, thereby providing the necessary supports to this vulnerable population.

Thank you,  
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#### References

1. Center For Disease Control. Fetal Alcohol Spectrum Disorders. <http://www.cdc.gov/ncbddd/fasd/index.html>
2. National Organization on Fetal Alcohol Syndrome. Recognizing FASD. <http://www.nofas.org/recognizing-fasd/>
3. Streissguth, A.P., Bookstein, F.L., Barr, H.M., Sampson, P.D., O'Malley, K., Young, J.K. Risk factors for adverse life outcomes in fetal alcohol syndrome and fetal alcohol effects. *Developmental and Behavioral Pediatrics*. 2004;5(4):228-238.
4. Streissguth, A.P., Barr, H.M., Kogan, J. & Bookstein, F. L., 'Understanding the Occurrence of Secondary Disabilities in Clients with Fetal Alcohol Syndrome (FAS) and Fetal Alcohol Effects (FAE),' Final Report to the Centers for Disease Control and Prevention (CDC), August, 1996, Seattle: University of Washington, Fetal Alcohol & Drug Unit, Tech. Rep. No. 96-06, (1996).
5. NMAC 8.290.400.10(B)(3)

Research demonstrates people with FASDs function similarly to those with Intellectual Disabilities (ID). They often have Adaptive Functioning in the ID range, but can have IQs in the low to low-average range. These graphs demonstrate this phenomenon for FASDs including Fetal Alcohol Effects (FAE) and Fetal Alcohol Syndrome (FAS).<sup>3,4</sup>



#### 5.4 Relationship of achievement and adaptive behavior to IQ, by diagnosis

