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## FISCAL IMPACT REPORT

SPONSOR Pinto DATE TYPED 02/09/05 HB \_\_\_\_\_

SHORT TITLE Radiation Exposure Victim Benefits SB 686

ANALYST Weber

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$100.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates HB 702  
Relates to SM 5

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Indian Affairs Department  
Health policy commission

### SUMMARY

#### Synopsis of Bill

Senate Bill 686 appropriates \$100 thousand from the general fund to the Indian Affairs Department to provide case management services to victims of radiation exposure or their surviving families so they can access benefits due to the federal Radiation Exposure Compensation Act (RECA).

#### Significant Issues

The Indian Affairs Department reports.

The need for compensation resulting from the effects of uranium mining operations in northwestern New Mexico has long been established with the enactment of RECA. Since

RECA's enactment and subsequent amendments, however, the needs of the large number of eligible recipients remain unmet. Only 558 of 6,000 potentially eligible Navajo claimants have received some type of compensation in the past fourteen years. And, only 3,755 of these claimants are successfully registered. Approximately 5,000 claims are not currently filed. A large reason for these high numbers of unprocessed claims is the lack of adequate staff to process the Navajo claims. Currently, there are only three caseworkers that process the more than 4,000 Navajo claims that have been submitted to their office.

The Health Policy Commission adds.

The Radiation Exposure Compensation Act of 1990 provides for payments to individuals who contracted certain cancers and other serious diseases as a result of their exposure to radiation released during above-ground nuclear weapons tests or as a result of their exposure to radiation during employment in underground uranium mines. The act provides for fixed payments to eligible individuals who meet requirements outlined in the act.

The act, in its 2002 amendment, provides the amounts of available entitlements to eligible individuals in the following categories:

- **Uranium Miners.** \$100,000 to eligible individuals employed in above-ground or underground uranium mines located in New Mexico and other states at any time during the period beginning on January 1, 1942, and ending on December 31, 1971.
- **Uranium Mill Workers.** \$100,000 to eligible individuals employed in uranium mills located in New Mexico and other states at any time during the period beginning on January 1, 1942, and ending on December 31, 1971.
- **Downwinders.** \$50,000 to an eligible individual who was physically present in one of the affected areas downwind of the Nevada Test Site during a period of atmospheric nuclear testing, and later contracted a specified compensable disease.
- **Onsite Participants.** A payment of \$75,000 is available to eligible individuals who participated onsite in a test involving the atmospheric detonation of a nuclear device, and later developed a specified compensable disease.

## FISCAL IMPLICATIONS

The appropriation of \$100.0 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY06 shall revert to the general fund.

## OTHER SUBSTANTIVE ISSUES

The Navajo Nation Shiprock Uranium Workers Program receives \$42,500 appropriated through the Indian Affairs Department to assist Navajo claimants with the filing of their claims. This funding is used to pay for a full-time caseworker/interpreter position.

MW/njw