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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/18/08

SPONSOR Crook LAST UPDATED \_\_\_\_\_ HB 195

SHORT TITLE Bernalillo Residential Rehab Facility SB \_\_\_\_\_

ANALYST Propst

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	\$3,200.2	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB 137, Bernalillo County Rehab Transition Facility

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Human Services Department (HSD)  
Department of Corrections

### SUMMARY

#### Synopsis of Bill

House Bill 195, Making an Appropriation for a Residential Rehabilitation and Transition Facility in Bernalillo County, appropriates \$3.2 million from the general fund to DFA for the purpose of contracting with a private entity to operate a residential rehabilitation facility.

### FISCAL IMPLICATIONS

The appropriation of \$3.2 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY09 shall revert to the general fund.

### SIGNIFICANT ISSUES

HB 195 appropriates \$3.2 million to DFA to contract with a private entity in Bernalillo County to operate a secure, long-term, residential rehabilitation and transition facility that admits persons who have been ordered to the facility by a New Mexico court.

HSD notes that HB 195 does not specify what goods and services would be purchased through the contract with the private entity. Additionally, the bill does not specify what type of rehabilitation and transition services the proposed facility would provide, and whether these services would be funded through this appropriation or through other programs.

HSD further noted that, assuming mental health and substance abuse treatment and support services are to be provided, most court-ordered mental health and substance abuse treatment is provided on an outpatient basis and has been funded through the Administrative Office of the Courts' drug court program, the Corrections Department's community corrections program, individual jurisdictions' mental health courts, or the DFA Local Government Division's DWI grant programs. In addition, planning and initial construction is under way for a substance abuse treatment and training facility in Los Lunas, which will include separate residential services for men and women. It is not clear where the facility proposed by HB 195 fits in the continuum of services for individuals who are court-ordered into behavioral health treatment.

This request with an appropriation for \$3.6 million was introduced in the 2007 Regular Legislative session and was funded as an item in SB 611 (§37-25) for \$267,800.

#### **ADMINISTRATIVE IMPLICATIONS**

HSD reports that the administrative implications may be substantial if the state is to ensure the effectiveness of any services provided by this private facility. The majority of New Mexico's public behavioral health funding is directed through the Human Services Department, including General Fund appropriations for treatment services through the Behavioral Health Services Division. The Department of Health may also have administrative implications if it is required to license the facility.

WEP/mt