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FISCAL IMPACT REPORT

ORIGINAL DATE 01/29/08

SPONSOR B. Lujan LAST UPDATED _____ HB 392

SHORT TITLE NM National Guard Brain Function Assessments SB _____

ANALYST Geisler

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	\$1,000.0	Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

Relates to: SB 52

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)
 Aging and Long-Term Services Department (ALTSD)
 Department of Military Affairs
 Veterans' Services Department
 Developmental Disabilities Planning Council (DDPC)

SUMMARY

Synopsis of Bill

House Bill 392 would appropriate \$1 million from the general fund to the Department of Health (DOH) for expenditure in fiscal years 2009 through 2011 to support a pilot program using proven advanced technology to conduct baseline assessments of brain function of New Mexico national guard personnel and their spouses before national guard personnel are deployed to a war zone. That technology would be used in the treatment and rehabilitation of national guard personnel suffering from brain injury. Any unexpended balance remaining at the end of fiscal year 2011 shall revert to the general fund.

FISCAL IMPLICATIONS

DOH notes that HB 392 is not part of the Governor's Executive Budget request. This funding

has not been included in the DOH Base Budget Request for FY09. If this appropriation came to DOH the services would have to be contracted out.

SIGNIFICANT ISSUES

DOH notes that the more appropriate recipient of this appropriation would be the Department of Military Affairs, which is identified as the recipient of funds for a similar program proposed by SB 52. However, the Department of Military Affairs reports it does not have the infrastructure required to determine which experimental technology could be used to assess brain function, and that there are serious implications requiring research as to if the department should be authorized to be a health care provider. The department states as to the merit of the proposed legislation, the Department of Health would be in a better position to evaluate such technology.

Veterans' Services Department states the Department of Military Affairs can administer a standard, objective test that measures a soldier's reaction time, short-term memory and other motor skills. The test would be administered again when a soldier returns from a tour of duty, and the comparison of the tests would point out any changes to fine motor skills, memory or reaction time. The tests would allow a soldier to get a quicker diagnosis of traumatic brain injury and begin treatment sooner. Veterans' Services Department reports that brain injuries caused by explosions have become the most common combat injury suffered by soldiers fighting in Iraq and Afghanistan.

The Developmental Disabilities Planning Council reports that between July and November 2003 the Defense and Veterans Brain Injury Center at Walter Reed Army Medical Center screened 155 patients who had returned from Iraq and were deemed at risk for brain injury. Ninety-six of the 155 screened, or 62 percent, were identified as having sustained a brain injury. The Developmental Disabilities Planning Council states activities focused to identify a brain injury where the injury isn't visible need to happen in order for appropriate treatment to occur. Post traumatic stress disorder and traumatic brain injury have similar symptoms but very different treatments. The council stressed it is imperative that an individual receive a correct diagnosis and treatment tailored to that diagnosis for a successful transition into family and community life.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 392 relates to SB 52, which appropriates \$1,000,000 to the Department of Military Affairs for the baseline brain function testing pilot program.

OTHER SUBSTANTIVE ISSUES

Aging and Long-Term Services Department reports the federal government is developing a diagnostic tool for pre- and post-deployment assessments that will become a required part of pre- and post-deployment activity. The initiative is being endorsed by the Department of Defense. Aging and Long-Term Services Department states the New Mexico National Guard would be able to utilize these tools once they are developed. Aging and Long-Term Services Department reports there is a preliminary questionnaire that is being used as an assessment of brain function for all active military for both pre- and post-deployment. The questionnaire can be found at <http://www.dvbic.org/>.

The Department of Military Affairs reports the U.S. Department of Veterans Affairs treats veterans, at no cost to an injured veteran or the State of New Mexico, who have suffered brain injury or any other combat related injury or disease.

GG/mt