

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 02/04/10

SPONSOR Cisneros LAST UPDATED _____ HB _____

SHORT TITLE No Child Welfare or Development Program Cuts SB 171

ANALYST Hoffmann

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	See narrative		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates House Bill 140, relates to Senate Bill 34

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY10	FY11	FY12	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Human Services Department (HSD)

Children, Youth and Families Department (CYFD)

No Response From

Public Education Department

SUMMARY

Synopsis of Bill

Senate Bill 171 would prohibit any cuts to funding in services or programs for child welfare and early childhood development care and education that are made by the current legislative session. This would be accomplished by a "Hold Harmless Provision" for program eligibility and services for these programs. The bill contains an emergency clause.

FISCAL IMPLICATIONS

Senate Bill 171 makes no appropriation.

The “hold harmless” provision which implies potential increases in costs does not clearly define a baseline for calculating what might be a cut in the services identified.

SIGNIFICANT ISSUES

The HSD states that the bill attempts to pre-empt reductions in eligibility or services that may be required or necessary due to any other bill signed in to law from the current legislative session which could put this Act in direct conflict with other acts passed this year. The bill is also confusing in that it is unclear if future changes for economy, efficiency, and medical considerations made by the Medicaid program would be prevented.

The CYFD expressed concern that the bill does not specifically identify which state agencies would be affected. For example, while “child welfare” services are primarily the function of CYFD, the administrative office of the courts also provides such services through district court work on dependency cases as well as respondent attorney, guardian ad item and youth attorney contracts for representing families involved in child welfare cases. “Early childhood development care” and “education” may reference the child care program administered by CYFD, but may also include programs administered by public education department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 140 is a duplicate of Senate Bill 171. Senate Bill 34 is a related bill, proposing to prohibit the legislature from making cuts to funding or services to any individual enrolled in the Medicaid or Developmental Disabilities Waiver program.

CH/svb