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## FISCAL IMPACT REPORT

**SPONSOR** Trujillo CH/Ferrary/ Thomson    **ORIGINAL DATE** 1/29/18    **LAST UPDATED** \_\_\_\_\_    **HB** 159  
**SHORT TITLE** Statewide Domestic Violence Services    **HB** \_\_\_\_\_  
**ANALYST** Klundt

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY18	FY19		
	\$3,500.0	Recurring	General

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From

### SUMMARY

#### Synopsis of Bill

House Bill 159 (HB 159) appropriates \$3.5 million from the general fund to the Children, Youth and Families Department (CYFD) for expenditure in fiscal year 2019 to fund domestic violence services and training throughout the state and provide a reimbursement rate increase. Exact rate increase to providers was not specified in this bill. Any unexpended or unencumbered balance remaining at the end of fiscal year 2019 shall revert to the general fund.

### FISCAL IMPLICATIONS

This bill appropriates \$3.5 million from the general fund to CYFD for expenditure in fiscal year 2019 to fund domestic violence services and training throughout the state and provide a reimbursement rate increase. Any unexpended or unencumbered balance remaining at the end of fiscal year 2019 shall revert to the general fund.

The House Appropriations and Finance Committee substitute for HB 2 et. al. includes an additional \$500 thousand from the general fund for increased domestic violence services and training throughout the state.

## SIGNIFICANT ISSUES

A 2018 LFC evaluation reported children are present in one-third of domestic violence incidents that occur in New Mexico, underscoring the need for services to address child trauma. Effective child services should be available at all domestic violence providers. The domestic violence service providers and CYFD Protective Services may have communication barriers due to confidentiality or other factors, which may negatively affect child outcomes. Currently, providers disproportionately serve adult rather than child survivors.

Effective prevention programs, especially for children whose family has been involved in domestic violence, can reduce future incidents, however there are limited prevention programs currently being implemented in New Mexico. Children who are affected by intimate partner violence are more likely to be either a victim or a perpetrator of intimate partner violence in the future. New Mexico's prevention programs are not focused to this high risk population.

The amount of outreach and training by New Mexico's domestic violence service providers varies greatly, but data is limited to what providers bill to CYFD. Domestic violence service providers are required to engage in community outreach and training, however not all providers focus on prevention.

Key recommendations from the report stated the Legislature should consider:

Contingent on improved collection of fees into the Domestic Violence Offender Treatment or Intervention Fund, authorizing a pilot project involving the implementation and evaluation, in at least one location, of a formalized coordinated community response involving the local domestic violence provider, CYFD Child Protective Services, the CYFD Domestic Violence Unit, local district and magistrate courts, the district attorney, the public defender, local law enforcement, the local misdemeanor compliance program, and local healthcare providers. The pilot site should be selected jointly by CYFD and the New Mexico Coalition Against Domestic Violence through a request for proposals (RFP) process and should have the goals of increasing the number of batterers who attend and complete a batterer intervention program, connecting victims and children to the services they need, and evaluating program outcomes.

Enacting legislation to include misdemeanor domestic violence offenders convicted under the Crimes Against Household Members Act among those required to undergo misdemeanor compliance monitoring, and require BIPs to include misdemeanor compliance officers among those to whom they are required to submit monthly offender progress reports.

Replacing the existing statutory requirement for BIPs to be at least 52 weeks with a requirement that they be a minimum of 26 weeks with the authority for courts to lengthen treatment based on offender risk.

CYFD should:

Work with LFC and Department of Finance and Administration (DFA) staff to establish new performance measures for domestic violence offenders, including the percentage of court-ordered offenders who successfully complete a BIP in the court-mandated time frame, and a performance measure on the percentage of successful BIP completers rearrested for a new

domestic violence offense within two years.

Work with AOC and DFA to develop a strategy to maximize collection of fees into the Domestic Violence Offender Treatment or Intervention Fund.

Create standardized, written safety plan instructions to ensure consistency across the state and adjust the performance measures to require documented safety plans.

Stipulate in domestic violence service provider contracts that outreach activities include primary prevention services and that some funds should be allocated to provide secondary prevention services to child victims.

CYFD and domestic violence service providers should:

Work with the Human Services Department to leverage Medicaid funds for all appropriate mental health, screening, and assessment services provided to offenders and adult and child domestic violence survivors by ensuring providers of eligible services are Medicaid certified and can bill Medicaid while taking appropriate precautions to ensure the privacy and confidentiality of survivors' personal information.

Ensure that services provided to both child and adult survivors are evidence-based programs shown to decrease the effects of trauma and increase evaluation of current non-evidence based practices used in the state.

Work together to increase coordination with Child Protective Services through collaborative safety planning for children involved with Protective Services and a domestic violence provider.

KK/sb