

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**Analysis.nmlegis.gov**

*{Analysis must be uploaded as a PDF}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**     **Amendment**    \_\_\_\_\_  
**Correction**    \_\_\_\_\_ **Substitute**    \_\_\_\_\_

**Date** Jan 18

**Bill No:** HB097

**Sponsor:** Rep Lord  
**Short Title:** Prenatal Substance Exposure Task Force

**Agency Name and Code**    CYFD / 690  
**Number:** \_\_\_\_\_  
**Person Writing**    Julie Sakura  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	75.0	Recurring	General

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: This bill charges the Department of Health with creating a task force to study pre-natal substance exposure; identifies an explicit list of task force members; directs the task force to collaborate with an institution of higher education to perform research to support the task force’s work; provides an explicit list of topics the task force is to study; and requires the task force report be submitted to the appropriate legislative committees no later than August 1, 2026.

**FISCAL IMPLICATIONS**

This bill appropriates \$75.0 from the state general fund to DOH for expenditure in state fiscal years 2025 through 2027, with any unexpected or unencumbered balance reverting.

There is no appropriation to CYFD to support its required involvement in this task force. CYFD anticipates that its involvement will require at minimum an attorney, the protective services division’s medical director, and a program matter expert identified by the Cabinet Secretary. Fiscal implications for participation in this task force will be absorbed by existing resources.

**SIGNIFICANT ISSUES**

This bill charges the task force with establishing pre-natal exposure rates back to 2004. Existing data sets may not support this mandate.

While a data review of prenatal substance exposure and barriers to prenatal care could help to inform the Comprehensive Addiction and Recovery Act program and support CYFD in forecasting program needs, study of the efficacy and outcomes of the state's 2019 adoption of CARA and plan of safe care duplicates work already conducted. Other requests in this memorial, including a review of how other states are implementing CARA, are also duplicative of work already underway.

Further, the bill goes beyond studying the prevalence, effects, and lifetime fiscal impact of prenatal substance exposure by also requesting a review of the CARA program and plans of care. As with other requests in this memorial, an evaluation component for the CARA program is being developed for implementation by CYFD’s Family Services Division and an evaluation is also part of the Family First Prevention Services Act prevention plan.

Finally, the deadline for the task force report is different than HM 003, which is August 1, 2025.

**PERFORMANCE IMPLICATIONS**

CYFD has no performance measures concerning mandated service on task forces.

## **ADMINISTRATIVE IMPLICATIONS**

Any administrative implications for participation in this task force will be absorbed by existing resources.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This bill duplicates the language of HM 3, but includes an appropriation.

Related to HB103 (crime of pre-natal substance exposure).

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

## **AMENDMENTS**