

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

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SECTION I: GENERAL INFORMATION

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date Prepared: 2024-01-25
Bill No: SB14

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI		
NFI	NFI		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
NFI	NFI	NFI		Click or tap here to enter text.

NFI	NFI	NFI		
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ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI			

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 14 (SB14) revises existing statutes concerning divisions, programs, and functions that are being transferred to the Health Care Authority (HCA) and aligns current laws with the functions, powers, and duties of the HCA and other agencies affected by the creation of the HCA.

The Early Childhood Education and Care Department (ECECD) does not have any programs or divisions moving to the HCA. The ECECD Secretary is a current member of the Behavioral Health Collaborative and the Developmental Disabilities Planning Council, and these memberships are not affected by the changes in this bill.

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None if recommended technical amendments are made.

ADMINISTRATIVE IMPLICATIONS

None if technical amendments are made.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB14 relates to Senate Bill 16 in the 2023 Legislative Session which created the HCA as a Cabinet Agency.

TECHNICAL ISSUES

ECECD identified technical amendments that need to be made to SB14 to avoid administrative issues for ECECD and CYFD. The edits to and recompilation of the Public Health Act in SB 14 impacts CYFD and ECECD of their investigatory and administrative action authority related to the health facilities that they regulate, including behavioral health facilities that serve children up to age 21 for CYFD, and child care facilities for ECECD. Additionally, the changes to the definition of “department” under the Public Health Act as it relates to CYFD, by removing the language "serving person up to age 21" would make CYFD responsible for regulating all residential treatment centers, community mental health centers, and day treatment centers, including those who serve adults.

Under section 137 of SB 14, a technical amendment is needed to address the definition of "department" under the Children's Code. Using this definition, moving this language from the Public Health Act to the Children's Code means that "department" would become CYFD and CYFD would become responsible for investigating and sanctioning the child care facilities that ECECD now has statutory authority over.

To avoid those unintended consequences the following amendments need to be made to the bill:

Page 30: Lines 17-21, reject proposed removal of each instance of “that serve persons up to twenty-one years of age.”;

Page 34: Lines 9-10, reject proposed removal of Paragraph J;

Pages 45-53: make Section 29 a new section instead of a recompilation and leave the original section in place;

Page 53-56: make Section 30 a new section instead of a recompilation and leave the original section in place;

Page 199: Strike Section 137 in its entirety.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB14 is not enacted, required changes to existing statutes and proposed transfers of authority to the HCA will not occur.

AMENDMENTS

None.