

AGENCY BILL ANALYSIS  
2024 REGULAR SESSION

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**SECTION I: GENERAL INFORMATION**

*Check all that apply:*

Original  Amendment  
Correction                      Substitute

Date Prepared: 2024-01-23  
Bill No: SB149

Sponsor(s) Bill Tallman  
:

Agency Name CYFD 69000  
and Code  
Number:  
Person Writing Harlena Reed  
Analysis:

Short BEHAVIORAL HEALTH  
Title: FACILITIES FUND ACT

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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
\$0	\$0		

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
\$0	\$0	\$0		

**ESTIMATED ADDITIONAL OPERATION BUDGET (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>		\$198.5K	\$198.5K	\$397.0K	Recurring	General Fund

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

**SECTION III: NARRATIVE**

**BILL SUMMARY**

The purpose of the bill is to establish the Behavioral Health Facilities Fund Act to assist counties in planning for and counties and municipalities in purchasing, renovating or constructing regional behavioral health facilities that will provide coordinated, comprehensive behavioral health treatment throughout New Mexico.

**FISCAL IMPLICATIONS**

There are no allocations to CYFD. The Behavioral Health Facilities Fund would be established at State Treasury and oversee by the Health Care Authority.

If the Licensing and Certification Authority Bureau (LCA), within the Children Youth and Families Department, is one of the regulatory bodies responsible for monitoring and enforcing compliance with children’s behavioral health providers awarded funding through this proposed legislation, then additional positions will be needed to support such a function. This would include one (1) additional LCA Program Monitor (Social & Community Services Coordinator Advanced position pay band 70) and one (1) additional LCA Quality Monitor (Social & Community Services Coordinator Advanced position pay band 70). The cost would be \$193.5K in salaries and benefits and \$5k in overhead costs for items such as equipment, email fees, etc. The total budget needed for salaries and benefits and overhead costs is \$198.5K.

**SIGNIFICANT ISSUES**

CYFD’s participation in the proposed study of administrative burdens faced by behavioral health providers in New Mexico will further support BHS in aligning recommendations internally and with other state agencies. Recommendations of the proposed taskforce would need to be reviewed for alignment with state regulations. CYFD Licensing and Certification Authority (LCA) is the licensing authority for children’s behavioral health services under the NMSA 1978 §24-1-1, 1-5. If enacted, the Health Care Authority would need to align its strategic plan and oversight of providers implementing children’s behavioral health services with CYFD LCA. The criteria for evidence-based practices noted in Section 5.C. needs to incorporate evidence-based practices for children’s services.

**PERFORMANCE IMPLICATIONS**

If enacted, SB149 limits access to “Behavioral Health Facilities Funds” to counties in which there is a post-secondary education institute that offers degrees in behavioral health related careers. This county versus regional limitation would limit close access for children, youth and families needing to travel to provider sites, potentially negatively impacting CYFD's performance with respect to providing behavioral health services.

CYFD Behavioral Health Services programs would also be impacted by its role in providing technical assistance and training to children's behavioral health services. There would need to be significant collaboration with the Health Care Authority to develop a strategic plan that aligns with CYFD BHS' strategic plans to expand children's behavioral health services statewide.

#### **ADMINISTRATIVE IMPLICATIONS**

If the Licensing and Certification Authority Bureau (LCA), within the Children Youth and Families Department, is one of the regulatory bodies responsible for monitoring and enforcing compliance with this proposed legislation, then additional positions will be needed to support such a function. This would include one (1) additional LCA Program Monitor (Social & Community Services Coordinator Advanced position pay band 70) and one (1) additional LCA Quality Monitor (Social & Community Services Coordinator Advanced position pay band 70). The cost would be \$193.5K in salaries and benefits and \$5k in overhead costs for items such as equipment, email fees, etc. The total budget needed for salaries and benefits and overhead costs is \$198.5K.

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

None.

#### **TECHNICAL ISSUES**

None Identified.

#### **OTHER SUBSTANTIVE ISSUES**

None.

#### **ALTERNATIVES**

None.

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

None.

#### **AMENDMENTS**

None.