

LFC Requester:

Liu



**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2024 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment Correction Substitute

Date Prepared: 01/30/24

Bill No: [SB219](#)Agency Name
and Code

Number: PED - 924

Sponsor: Maestas

Short Title: NALOXONE NASAL SPRAY

Title: IN HIGH SCHOOLS

Person Writing: Denise Terrazas

Phone: (505) 470-5303 Email: denise.terrazas@ped.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------------|------------------------------|------------------|
| FY24 | FY25 | | |
| None | \$1,000.00 | Nonrecurring | NFA |

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|------------------------------|------------------|
| FY24 | FY25 | FY26 | | |
| None | None | None | N/A | NFA |

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY23 | FY24 | FY25 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|------|------|------|----------------------|------------------------------|------------------|
| Total | None | None | None | None | N/A | NFA |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 219 (SB219) would appropriate \$1 million dollars to the Public Education Department (PED) to distribute Naloxone nasal spray in high schools.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective May 15, 2024.

FISCAL IMPLICATIONS

SB219 would appropriate \$1 million from the General Fund to PED for expenditure in FY25 to make naloxone nasal spray available in high schools. Any unexpended or unencumbered balance remaining at the end of fiscal year 2025 shall revert to the general fund.

SIGNIFICANT ISSUES

Naloxone is a medication designed to reverse overdoses from opioids. According to New Mexico Department of Health (DOH) DOH [policy](#), naloxone may be stored at any school so long as the storage location is kept secure, with entry limited to staff and individuals designated by the school nurse. Naloxone must be checked monthly for expiration. In the event it expires, new naloxone must be obtained and the expired naloxone properly disposed.

According to [statistics](#) provided by DOH, New Mexico had the 11th highest drug overdose death rate in the U.S. in 2020. Approximately two out of three drug overdose deaths in New Mexico in 2020 involved an opioid. DOH cites [11,655 reversals](#) of overdoses using naloxone between FY20 and the first half of FY23.

From July 2019 to December 2021, [2,231 adolescents](#) ages 10 to 19 overdosed in the United States.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

Under a clinical supervisor, school nurses may provide naloxone. To further reduce liability for school staff to administer naloxone to students, a school would have to register as an Overdose Prevention and Education Program.

DOH and PED may need to collaborate to promulgate rule to provide for continued naloxone storage in schools.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to: [HB70, School-Based Mental Health Counselors](#), because school staff who provide mental health training may handle mental health issues around substance abuse;

Relates to: [HB97, Prenatal Substance Abuse Taskforce](#), because pregnant high school students may abuse opioids

Relates to: [SB35, Medication for Juveniles in Treatment Programs](#), because it addresses facilities that restrict the use of medications to treat substance abuse.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

Pursuant to [Section 24-23-1 NMSA 1978, Administration of Opioid Antagonists](#), DOH has historically provided naloxone and training on overdose response to any school upon request.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.