

**LFC Requestor:** Choose an item.

**2025 LEGISLATIVE SESSION  
AGENCY BILL ANALYSIS**

**Section I: General**

**Chamber:** Senate

**Category:** Bill

**Number:** 510

**Type:** Introduced

**Date (of THIS analysis):** 3/19/2025

**Sponsor(s):**

**Short Title:** PUBLIC SAFETY CHANGES

**Reviewing Agency:** Agency 665 - Department of Health

**Analysis Contact Person:** Arya Lamb

**Phone Number:** 505-470-4141

**e-Mail:** [arya.lamb@doh.nm.gov](mailto:arya.lamb@doh.nm.gov)

---

---

**Section II: Fiscal Impact**

**APPROPRIATION (dollars in thousands)**

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0		

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0		

*Explain what type of revenues this bill will generate: surcharges, taxes, fees, patient billing, federal revenues, etc.*

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

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non- recurring	Fund Affected
<b>Total</b>	\$	\$	\$	\$		



An expanded definition of danger to self will likely lead to more admissions at NMBHI. At this time it is not possible to determine the exact extent.

### **Section III: Relationship to other legislation**

*List only bill numbers: example – House Bill 45 (HB45). If there is no relationship, write “none” after each section.*

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act:

### **Section IV: Narrative**

#### **1. BILL SUMMARY**

SB510 amends definitions in the Mental Health and Developmental Disabilities Code and the Assisted Outpatient Treatment Act.

SB 510 strikes language defining “harm to others” and “harm to self” and replaces with the following:

N. **“harm to others”** means that within the recent past, the person has inflicted or attempted to inflict serious bodily harm on another or has acted in such a way as to create a substantial risk of serious bodily harm to another and it is more likely than not that the conduct will be repeated in the near future;

O. **“harm to self”** means that:

(1) it is more likely than not that in the near future the person will attempt to commit suicide or will cause serious bodily harm to the person's self by violent or other self-destructive means; or

(2) the person's recent behavior:

(a) demonstrates that the person lacks the capacity to satisfy the person's need for nourishment, personal or medical care, shelter or self-protection and safety and that it is more likely than not that the lack of capacity will result in death, serious bodily injury or serious physical or mental debilitation in the near future if treatment is not



ordered; and

(b) makes it more likely than not that the person will suffer serious physical debilitation in the near future unless adequate treatment is provided pursuant to the Mental Health and Developmental Disabilities Code;

Is there an emergency clause? ☐ Yes ☒ No

b) Significant Issues

- SB510 is an improvement upon other iterations of the proposed changes to “harm to self” and “harm to others” introduced this session. Importantly, “harm to others” contemplates threats, in addition to assaults and batteries. Without inclusion of threats, a person would have to actually harm someone to be considered for commitment, which creates problems for healthcare workers. If a person were exhibiting extremely threatening behavior and vocally expressing threats in an emergency room or hospital, staff would have to wait until someone was physically assaulted before utilizing this as an intervention.
- “Harm to self” importantly includes reference to suicide, which was notably struck from other bills attempting to amend these definitions. Suicide is perhaps the most clear qualifier of “harm to self” and the inclusion of this language is critical.

## 2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?

☒ Yes ☐ No

This bill will expand the number of admissions NMBHI receives.

- Is this proposal related to the NMDOH Strategic Plan? ☒ Yes ☐ No

☒ **Goal 1:** We expand equitable access to services for all New Mexicans

☒ **Goal 2:** We ensure safety in New Mexico healthcare environments

☒ **Goal 3:** We improve health status for all New Mexicans

☐ **Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

## 3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?

☐ Yes ☐ No ☒ N/A

- If there is an appropriation, is it included in the LFC Budget Request?

☐ Yes ☐ No ☒ N/A

- Does this bill have a fiscal impact on NMDOH? ☒ Yes ☐ No



*The increased definition will increase the number of admissions at NMBHI. That is the purpose of this bill and NMBHI will provide the services necessary.*

**4. ADMINISTRATIVE IMPLICATIONS**

Will this bill have an administrative impact on NMDOH? ☐ Yes ☒ No

**5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP**

None

**6. TECHNICAL ISSUES**

Are there technical issues with the bill? ☐ Yes ☒ No

**7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)**

- Will administrative rules need to be updated or new rules written? ☐ Yes ☒ No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? ☐ Yes ☒ No
- Does this bill conflict with federal grant requirements or associated regulations?  
☐ Yes ☒ No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? ☐ Yes ☒ No

None

**8. DISPARITIES ISSUES**

None

**9. HEALTH IMPACT(S)**

- The change in definition may provide services to more New Mexicans.

**10. ALTERNATIVES**

None

**11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

If SB 510 is not enacted the same number of New Mexicans will receive services.

**12. AMENDMENTS**

None