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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
57th Legislature, 1st Session, 2025

Bill Number	<u>SB238</u>	Sponsor	<u>Stewart</u>
Tracking Number	<u>.230201.1</u>	Committee Referrals	<u>SEC/SFC</u>
Short Title	<u>Youth Behavioral Health Prevention Project</u>		
Analyst	<u>Hicks</u>	Original Date	<u>2/7/2025</u>
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BILL SUMMARY

Synopsis of Bill

Senate Bill 238 (SB238) would appropriate \$1.45 million to the Public Education Department (PED) to support a request for proposals (RFP) for a youth behavioral health prevention project offered through a multicomponent digital platform. SB238 would require PED's RFP to limit consideration to entities meeting the following criteria:

- 1) The platform must provide online behavioral health education resources, pre-moderated peer-to-peer support services, and online private sessions with state-licensed behavioral health professionals; and
- 2) The provider must have demonstrated experience in other states providing the services to students required by the RFP.

FISCAL IMPACT

SB238 appropriates \$1.45 million from the general fund to PED for expenditure in FY26. Any unexpended or unencumbered balance remaining at the end of FY26 shall revert to the general fund.

The House Appropriations and Finance Committee Substitute for House Bills 2 and 3 (HB2/HAFCS) does not include specific funding for PED to oversee an RFP for a multicomponent digital platform youth behavioral health prevention project.

SUBSTANTIVE ISSUES

Possible Platforms. It is unclear how many providers and platforms exist that meet the requirements outlined in SB238. However, companies like [Kooth](#), [Innowell](#), and [Talkspace](#) appear to be examples of eligible platforms.

Youth Behavioral Health. SB238 would provide funding to support digital behavioral health programming resources in New Mexico kindergarten through 12th grade (K-12) schools. The

[American Medical Association](#) defines behavioral health as mental health, substance use disorders, life stressors and crises, and stress-related symptoms. While at times used interchangeably with mental health, the term behavioral health corresponds to a broader range of both physical and psychological conditions.

According to the [Centers for Disease Control and Prevention \(CDC\)](#), children who are mentally healthy have improved quality of life; can function well at home, in school, and in their communities; and are better able to cope with challenges. Student mental health is a key contributor to a student’s academic success. [Research](#) has found that mental health conditions like anxiety and depression are linked to reduced academic performance. Beyond the classroom, students struggling with their mental health are more likely to contemplate or engage in suicide or self-harm, experience disciplinary issues, and be chronically absent from school.

Nationally, the rate of children aged 3 to 17 experiencing anxiety or depression has been increasing in recent years. According to findings published in the [2022 KIDS COUNT Data Book](#) by the Annie E. Casey Foundation, this percentage increased from 9 percent to 12 percent between 2016 and 2020. According to [Mental Health America](#), a national nonprofit focused on promoting mental health and wellbeing, New Mexico ranked 34th out of the 50 states in terms of youth mental illness prevalence and access to care in 2023, where lower rankings indicate greater prevalence of mental illness and less access to care.

Since the disruptions caused by the Covid-19 pandemic, educators nationwide have drawn attention to the increase in student behavior issues when compared to pre-pandemic levels. Many point to the toll pandemic disruptions took on students’ development of interpersonal skills. In a [2022 EAB \(formerly known as the Education Advisory Board\) survey](#) of educators, 84 percent of respondents believed students are lagging behind in the development of both self-regulation and relationship-building skills. EAB survey results also depicted a sharp increase in the amount of physical violence seen in schools since 2018, when 15 percent of respondents observed frequent physical fights between students and 7 percent observed physical violence against teachers. In 2022, those percentages increased to 34 percent and 13 percent, respectively.

New Mexico Youth Risk and Resiliency Survey (NM YRRS). SB238 would provide additional funding to support New Mexico schools in addressing behavioral health challenges students experience in the state, often at greater rates than found nationwide. A 2021 NM YRRS [factsheet](#) from the New Mexico Department of Health (DOH) highlighted comparisons between New Mexico students and secondary students across the country. According to DOH, compared with high school students nationally, New Mexico high school students were more likely to skip school due to safety concerns, were more likely to experience frequent mental distress, and were more likely not to be physically active in the last seven days. New Mexico students also had higher rates of vape use, marijuana use, and prescription medication misuse than their peers nationwide. The 2021 NM YRRS data revealed concerning trends in risk behaviors among students in New Mexico, including behaviors associated with mental health, suicidal behaviors, sexual violence, and obesity.

Mental & Behavioral Health Access. SB238’s requirement for PED to identify a provider of a digital platform-based program could improve access to behavioral health supports in a large and predominantly rural state like New Mexico. The majority of the behavioral health workforce in New Mexico schools is comprised of school counselors, followed by social workers. According to the most recent data available from a 2020 [survey](#) of behavioral health services offered within schools, the ratio of students to school counselors, psychologists, and social workers in New Mexico are significantly higher than nationally recommended ratios.

[2024 data](#) from Rural Health Information Hub, a federally-funded clearinghouse on rural health issues, indicates 31 of New Mexico's 33 counties are classified as areas of mental health professional shortages. Only part of Bernalillo County is considered to be a shortage area, while none of Los Alamos County is labeled a shortage area.

ADMINISTRATIVE IMPLICATIONS

PED would be required to issue an RFP, evaluate proposals, and distribute the funding appropriated by SB238. According to PED, the average timeline to draft, post, evaluate, and award an RFP is 90 days, with additional time to draft and award a contract.

SOURCES OF INFORMATION

- LESC Files
- LFC Files
- Department of Health (DOH)
- Health Care Authority (HCA)
- Office of Broadband Access and Expansion (OBAE)
- New Mexico Public Schools Insurance Authority (NMPSIA)
- New Mexico Regional Education Cooperatives Association (NMRECA)
- Public Education Department (PED)

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