

<b>LFC Requester:</b>	<b>Esquibel</b>
-----------------------	-----------------

**AGENCY BILL ANALYSIS  
2021 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)

*and*

[DFA@STATE.NM.US](mailto:DFA@STATE.NM.US)

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Check all that apply:  
**Original**        **Amendment**      
**Correction**        **Substitute**   

**Date** 2/22/2021  
**Bill No:** SB191

**Sponsor:** Senate Health and Public Affairs  
Committee  
**Short Title:** BRIDGES ACROSS NM  
PROGRAM

**Agency Name and Code** PED - 924  
**Number:** \_\_\_\_\_  
**Person Writing** John Sena  
**Phone:** 505-570-7816    **Email** John.Sena@state.nm.us

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY21	FY22		
NFI	\$250.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY21	FY22	FY23		
NFI	NFI	NFI	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	NFI	\$250.0	0.0	\$250.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to: House Bill 151 (HB151), NM Behavioral Health Consortium  
Duplicates/Relates to Appropriation in the General Appropriation Act: None

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: The Senate Health and Public Affairs Committee Substitute for SB191 (SB191/SHPAC) would require the Human Services Department (HSD) to convene a “bridges across New Mexico behavioral health consortium” to review construction and repurposing of existing buildings for the purpose of creating residential treatment facilities and long-term transitional housing. The facilities would be required to help those with substance use disorders and mental health issues and those individuals leaving incarceration, substance use treatment, or homelessness due to reasons other than behavioral health and for families who need safer long-term housing than short-term shelter could provide. The bill would require a focus to be on centers that combine life skills, educational and vocational support to ensure that individuals will be successful and self-sufficient when those individuals reenter community life.

SB191/SHPAC would require the “bridges across New Mexico behavioral health consortium” to consult with the Public Education Department (PED) to develop an evidence-based drug prevention program for first through 12<sup>th</sup> grade public school students, which would be required to include age- and developmentally appropriate content.

#### **FISCAL IMPLICATIONS**

SB191/SHPAC would appropriate \$250 thousand from the general fund to HSD for expenditure in FY22 and FY23 to contract with a professional behavioral health policy agency to develop a statewide action plan to present to HSD and the legislature. Any unexpended or unencumbered balance remaining at the end of FY23 shall revert to the general fund.

SB191/SHPAC does not make an appropriation to PED. SB191/SHPAC would require PED to provide staff and resources to consult with HSD on the development of an evidence-based drug prevention program for public school students. Consultation could be completed with current PED staff and resources.

#### **SIGNIFICANT ISSUES**

SB191/SHPAC would require the “bridges across New Mexico Behavioral health consortium” to convene professionally facilitated meetings in each of the six state transportation commission districts. The bill would require the consortium to include bipartisan representation from the

House of Representatives and the Senate; representatives from the New Mexico congressional delegation; representatives from the Administrative Office of the Courts, including local judges; representatives from the business sector, which shall include planners and architects; and representatives from organizations whose primary functions are behavioral health and long-term transitional housing. Representatives from organizations whose primary functions are behavioral health and long-term transitional housing and representatives from state agencies would be prohibited from constituting more than 49 percent of the consortium membership. SB191/SHPAC would require the consortium to function from the date of its appointment until December 1, 2022.

The “bridges across New Mexico behavioral health consortium” would be required to hold meetings in each of the six state transportation commission districts beginning after the effective date of the act. On or before August 2022, statewide meetings would be required to be held in Albuquerque to discuss findings and recommendations from the regional meetings and approve a draft statewide action plan.

SB191/SHPAC would require the consortium to assess current youth and adult residential treatment facilities, with a focus on those facilities serving individuals currently in the court system for substance use, behavioral health and homelessness, to determine if the current facilities could be expanded or if new facilities will need to be built. Further, the bill would require the consortium to review current laws regarding driving while intoxicated, their penalties, and enforcement, and compare them with cities that have the lowest rates of driving while intoxicated and assist regionally in implementing the statewide action plan. SB191/SHPAC would require the draft statewide action plan to be presented at a meeting of the interagency behavioral health purchasing collaborative. The professional behavioral health policy agency would be required to prepare a final plan in consideration of any comments received from the interagency behavioral health purchasing collaborative and community input from the district meetings. SB191/SHPAC would require the final statewide action plan to be presented or distributed to the interim Legislative Health and Human Services Committee (LHHS), the Legislative Finance Committee (LFC), the Secretary of Human Services, and the Secretary of Health.

[Section 9-7-6.4 NMSA 1978](#) established the “interagency behavioral health purchasing collaborative,” consisting of secretaries from multiple state agencies, including the Human Services Department and the Department of Health (DOH). Among its duties, the collaborative is required to identify behavioral health needs statewide, with an emphasis on that hiatus between needs and services set forth in the DOH’s gap analysis and in ongoing needs assessments, and develop a master plan for statewide delivery of services. Further, the collaborative is required to inventory all expenditures for behavioral health, including mental health and substance abuse. The collaborative is required to provide a quarterly report to the LFC on performance outcome measures and submit an annual report to the LFC and the LHHS. The work of the interagency behavioral health purchasing collaborative may overlap with the proposed “bridges across New Mexico behavioral health consortium,” resulting in possible duplication of effort and strategic planning, competing statewide priorities, and a reduction in efficiency and effectiveness in meeting critical behavioral health and housing needs.

According to the 2019 Youth Risk and Resiliency Survey, 20.5 percent of New Mexico high school students surveyed reported having their first drink of alcohol before age 13, compared with 15.0% nationally; 14.1 percent first tried marijuana before age 13, compared with 5.6 percent nationally; and 8.4 percent ever used cocaine, compared with 3.9 percent nationally.

## **PERFORMANCE IMPLICATIONS**

N/A

## **ADMINISTRATIVE IMPLICATIONS**

PED would be consulted regarding the age and developmentally appropriate content of a first through 12<sup>th</sup> grade drug prevention program.

HSD would be required to contract with and hire a professional behavioral health policy agency responsible for scheduling and facilitating meetings of the consortium and compiling the consortium's findings and recommendations into a draft statewide action plan. The draft statewide action plan would be required to contain provisions on existing funding in cities and counties, the need for potential funding and ways to receive funding, and a determination of the most equitable and effective use of funds with a priority for programs and building projects.

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

SB191/SHPAC relates to HB151, NM Behavioral Health Consortium.

## **TECHNICAL ISSUES**

N/A

## **OTHER SUBSTANTIVE ISSUES**

N/A

## **ALTERNATIVES**

N/A

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

New Mexico public schools would continue to implement the current [Health Education Standards and Benchmarks](#) regarding drug abuse and drug prevention through locally-adopted curricula.

## **AMENDMENTS**

N/A