

LFC Requester:	Liu
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**AGENCY BILL ANALYSIS
2023 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

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 1/26/2023
Bill No: HB112

Sponsor: Herndon
Short PUBLIC SCHOOL
Title: WELLNESS ROOM PILOT

Agency Name and Code PED – 924
Number: _____
Person Writing Gregory Frostad
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	\$5,000.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
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	\$220.0	\$220.0	\$440.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 112 (HB112) would create a six-year pilot project, “Building Student Resiliency,” to provide one or more student wellness rooms in public schools. The bill defines “wellness room” as a room or an area that provides some privacy for students who need to release emotional, mental, and behavioral stress by resting and relaxing.

The bill would create a “Building Student Resiliency Fund,” which would be nonreverting until the pilot project has ended, at which time the unencumbered or unexpended balance remaining in the fund would revert to the general fund.

FISCAL IMPLICATIONS

HB112 would appropriate \$5 million from the general fund to the the Building Student Resiliency Fund for expenditure in FY24 and subsequent fiscal years to establish wellness rooms in participating building student resiliency schools. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

SIGNIFICANT ISSUES

The bill would require the pilot to be grounded in national neuroscience and physiology research, social and emotional learning and the critical need to address the epidemic of children traumatized by adverse childhood experiences.

In 2021, Washington County School District in Utah implemented wellness rooms in 39 schools, “where students who are overwhelmed can check in, assess their feelings and take a few moments to calm themselves” ([St George News, 12/5/21](#)). District representatives indicated that when a students’ sympathetic nervous system is in overdrive, they become unable to perform higher functions like learning or making good behavior choices, and that early data on the program was promising. Some schools in the district implemented wellness rooms after experiencing several student suicides.

According to the National Survey of Children's Health conducted by the U.S. Department of Health and Human Services, children with Adverse Childhood Experiences (ACEs) face increased risk for social-emotional, physical and mental health issues, including abuse, neglect, poverty and other traumatic experiences encountered before the age of eighteen. Three or more ACEs in a child’s life dramatically increase the risk of heart disease and depression; six or more ACEs reduce life expectancy by 20 years.

According to Psychology Today, ACEs include emotional or physical neglect; verbal humiliation; growing up with an addicted or mentally ill family member; and parental

abandonment, divorce, or loss. ACEs can harm developing brains, predisposing them to autoimmune disease, heart disease, cancer, depression, and a number of other chronic conditions, even decades after the trauma took place.

In New Mexico, 24.7 percent of children under 17 have experienced 2 or more ACEs, compared with 14 percent nationally.

However, research indicates that these effects can be mitigated by “building resilience.” Psychology Today notes that relaxation methods such as writing, mindfulness meditation, and yoga can help create new neurons and synaptic connections, promoting new thought patterns and resetting the stress response.

PERFORMANCE IMPLICATIONS

The measure in the pilot project in HB112 have the potential to improve student achievement by providing safe space for students to decompress during the school day and improve focus on academics.

ADMINISTRATIVE IMPLICATIONS

The Public Education Department (PED) would need 2 FTEs for an annual cost of \$220,000 to administer the pilot program. While there is funding attached to the bill, it is specifically purposed for establishing wellness rooms in participating schools and could not be used for the FTE needed to administer the project.

HB112 would require the PED to administer the pilot project and provide funding for applicants to design and setup wellness rooms with input from students, school personnel, and other public schools that have wellness rooms.

PED, with the assistance of public schools that already have wellness rooms, would be required to design the data collection system for use by all building student resiliency schools.

PED would be required to determine application requirements and procedures and criteria for evaluating applications. HB112 would require each application to be for one wellness room, but a school district would be allowed to submit more than one application.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

In 2022, the Legislature passed [HM43, School Mental Wellness Spaces](#), which requested that the Legislative Education Study Committee, in collaboration with the PED, convene a task force to develop a comprehensive plan for providing mental wellness spaces in public schools.

The final report from the HM43 task force cites New Mexico’s 2019 Youth Risk and Resilience Survey, which indicated that, compared with US high school students, New Mexico students:

- had higher rates of most drug and tobacco use;
- were more likely to be early initiators of cigarette smoking, alcohol use, and marijuana use; and

- were more likely to feel sad or hopeless.

The task force recommended further study of wellness rooms in New Mexico.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

N/A

AMENDMENTS

N/A