

LFC Requester:	Chenier
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**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original ___ **Amendment** X
Correction ___ **Substitute** ___

Date Prepared: 03/08/23
Bill No: [HB434/aHHHC](#)

Sponsor: Trujillo
Short Title: CHILD RIGHTS, DEPT. COLLABORATION &

Agency Name and Code
Number: PED - 924
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	NFA

(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	0	0	0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis of HHHC Amendment: The House Health and Human Services Committee amendment to House Bill 434 (HB434a/HHHC):

- removes the appropriation from the original bill;
- specifies that the state shall conduct a family assessment if a family has not engaged referred services that are critical to the immediate health and safety an infant released from a hospital pursuant to plan of care
- clarifies that “managed care organization” means an entity under contact with the Human Services Department (HSD) to assist in meeting requirements for medical assistance programs established in the Public Assistance Act; and
- includes staff of the Early Childhood and Education Care Department (ECECD) in the definition of “comprehensive addiction and recovery act navigator.”

Synopsis of Original Bill: House Bill 434 (HB434) amends the Children’s Code to create a new basic right to advocacy and a mechanism for filing complaints, applied to children, youth, and families who are subject to or afforded rights under the Children’s Code. HB434 also requires state agencies, including the Public Education Department (PED), to coordinate and collaborate to:

- share data to improve outcomes and alignment of outcome metrics that include shared accountability and demonstrate measurable progress;
- develop screening guidelines and referral pathways for high-risk families to ensure they are linked to high-quality support and services; and
- submit a report of recommendations and outcomes to the Child Welfare Innovation Center, the Department of Health (DOH), HSD, ECECD, and PED.

The bill’s effective date is July 1, 2023.

FISCAL IMPLICATIONS

HB434a/HHHC contains no appropriation.

PED would be able to absorb the interagency coordination and collaboration responsibilities of this act. Some state funds in HB 2 and federal Child Abuse Prevention and Treatment Act (CAPTA) funds would also be available to help named agencies with this work.

SIGNIFICANT ISSUES

The bill aligns with PED’s efforts to support the health and well-being of students and their families, including by seeking to address or prevent adverse childhood experiences (ACEs). According to DOH, New Mexico's children and youth experience the highest rates of ACEs in the nation. ACEs are potentially traumatic events of abuse, neglect, or household dysfunction that occur before 18 years. High rates of ACEs affecting NM’s children and other social determinants of health, such as poverty, insecure food and housing, and poor access to health care, have lasting impacts on mental, physical, and behavioral health. With prevention, early identification, and management of ACEs, risk of suicide and drug overdose can be lowered, and other chronic conditions can be managed more effectively.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

PED would collaborate regularly with DOH, HSD, and ECECD to satisfy the provisions of the bill. PED estimates the Department would need one additional FTE.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to:

[HB461, Children's and Families Rights' Act](#), which would also establish a Child Welfare Innovation Center.

[HB11, Office of Child Advocate Act](#), and [SB373, Office of Child Advocate Act](#), which would both establish an office of Child Advocate.

[HB221, Exposure of Children to Certain Drugs](#), which would amend existing crimes regarding the abandonment or abuse of a child to apply penalties for exposing a child, in utero, to a Schedule I or II narcotic.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.