

LFC Requester: Liu



**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2025 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 02/03 /25

Bill No: SB238

Agency Name and Code: PED - 924

Sponsor: Stewart

PED Lead Analyst: -

Phone: - Email: -

Short Title: YOUTH BEHAVIORAL HEALTH PREVENTION PROJECT

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
\$1450.0	None	Nonrecurring	General Fund

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 238 (SB238) would appropriate \$1.45 million to the Public Education Department (PED) to provide for one year of a youth behavioral health prevention project offered through a multi-component digital platform. The proposed bill mandates the PED to establish a public request-for-proposals (RfP) bidding process that shall include:

- provision of online behavioral health education resources;
- pre-moderated peer-to-peer support services; and
- online private sessions with state-licensed behavioral health professionals.

The selected provider must demonstrate experience with the provision of similar services to public school students in other states.

If enacted, this bill would become active June 20, 2025.

FISCAL IMPLICATIONS

The bill would appropriate \$1.45 million from the general fund to the PED for expenditure in FY26 for a youth behavioral health prevention project. Any unexpended or unencumbered balance remaining at the end of fiscal year 2026 shall revert to the general fund.

The return on investment for behavioral health services can be well in excess of the cost of the services. [An employer study](#) found that the savings for every \$100 spent on behavioral health services related to a \$190 reduction in medical claims. For students, savings to the community in reduced costs for Medicaid services, learning interventions, and other costs may be significant.

SIGNIFICANT ISSUES

The proposed legislation would provide online behavioral health education resources, pre-moderated peer-to-peer support services, and online private sessions with state-licensed behavioral health professionals to public school students. This bill would increase access to mental health resources and supports for public school students across the state. By offering these services through a digital platform, the bill aims to make behavioral health prevention and early intervention more accessible to youth, addressing growing concerns about youth mental health in a manner consistent with current trends.

Research suggests that school districts and charter schools that offer mental health services via a digital platform would need to be trained on the platform, create an internal referral process, provide a private physical space for one-on-one sessions, carve out time within the school day for students to utilize the platform, and have designated staff for oversight of the referral process, private sessions, and overall use of the platform.

The proposed legislation mandates the selected vendor provide students with private sessions with state-licensed behavioral health professionals. According to the New Mexico Regulation and Licensing Department, there are 1,841 active master-level social work licenses and 1,023 active mental health counselor licenses. It is unclear how many of the total active licenses belong to behavioral health providers who practice and offer services for children and adolescents, or who may have experience with the provision of online telehealth services,

rendering it uncertain if New Mexico has the pool of licensed healthcare professionals sufficient to provide such a service.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

The proposed legislation mandates the PED to establish an RfP to publicly gather bids for executing this work. The average timeline to draft, post, evaluate, and award an RfP is 90 days, with additional time to draft and award a contract.

Many school districts and charter schools already offer a variety of behavioral health supports to students, but the need for services outweighs the capacity of current providers.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to:

- House Bill 58, Mental Health Programs in Schools Funding, which proposes appropriations to PED for mental health training and wellness programs in public schools.
- House Bill 152, Prevent Certain Treatment Restrictions, which proposes the elimination of restrictions to medication-assisted treatment for minors in in-patient, out-patient, and juvenile detention facilities for adolescents with substance use disorders.
- *Senate Bill 3, which proposes the Behavioral Health Reform & Investment Act.
- Senate Joint Resolution 8, which proposes a new section of Article 2 of the New Mexico Constitution to establish certain rights for children, including healthcare, school-based health centers, and youth mentorship programs.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.