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FISCAL IMPACT REPORT

SPONSOR: Komadina DATE TYPED: 03/05/01 HB _____
 SHORT TITLE: Choice of Case Management Agency for Dis- SB 736/aSPAC
abled _____
 ANALYST: Esquibel

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		/Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
N/A					

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Attorney General’s Office (AG)
 NM Health Policy Commission (HPC)
 Developmental Disabilities Planning Council (DDPC)

SUMMARY

Synopsis of SPAC Amendments

The Senate Public Affairs Committee amendments to Senate Bill 736 add clients of community-based **mental health** services to those who would be afforded freedom of choice in selecting case managers, therapists and other service providers.

Synopsis of Original Bill

Senate Bill 736 provides for the following:

- Require DOH and its providers of services to the developmentally disabled to provide clients with freedom of choice in selecting case managers, therapists and other service providers.
- DOH would include in its provider contracts provisions providing that failure to honor a client’s freedom of choice may result in termination of the contract.
- DOH notification to current providers that failure to honor a client’s freedom of choice could result in the termination of their contracts.
- DOH’s office of internal audit would audit whether freedom of choice requests have been honored, and advise the Legislature, Governor and Secretary of any violations.

- DOH would terminate its contracts with providers who continue to violate a client's freedom of choice.

Significant Issues

The Developmental Disabilities Planning Council indicates DD case management and services already operate under freedom of choice guidelines as required by the federal Health Care Financing Administration.

FISCAL IMPLICATIONS

Implementation of a more rigorous monitoring structure to assure full freedom of choice is being complied with by providers would require funding additional positions within DOH's Division of Health Improvement.

TECHNICAL ISSUES

Senate Bill 736 sites DOH's office of internal audit to review the referral processes, but DOH's Division of Health Improvement may be the more appropriate unit given its resources and mission.

OTHER SUBSTANTIVE ISSUES

Currently, disabled New Mexicans may also seek additional assistance through the Protection and Advocacy System Inc (P&A). P&A is a private, non-profit organization that protects and promotes the rights of people with disabilities in New Mexico.

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