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FISCAL IMPACT REPORT

ORIGINAL DATE 1-23-19

SPONSOR Ortiz y Pino LAST UPDATED _____ HB _____

SHORT TITLE Brain Injury Services Fund Appropriation SB 134

ANALYST Esquibel

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		
	\$500.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SB 134 relates to appropriation in the General Appropriation Act.
SB134 relates to SB171, Increase Brain Injury Service Fee.

SOURCES OF INFORMATION

LFC Files

Responses Received From

Governor's Commission on Disability (GCD)
Human Services Department (HSD)

SUMMARY

Synopsis of Bill

Senate Bill 134 (SB134) would appropriate \$500 thousand from the general fund to the brain injury services fund for expenditure in FY20 and subsequent fiscal years to maintain the statewide brain injury services program designed to increase the independence of people with brain injuries.

FISCAL IMPLICATIONS

SB134 would appropriate \$500 thousand from the general fund to the brain injury services fund for expenditure in FY20 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of FY20 would not revert to the general fund but would revert to the brain injury services fund.

The brain injury services fund accrues fees of \$5.00 per each moving traffic violation.

The Human Services Department (HSD) reports from FY12 to FY15, recurring annual revenue to the brain injury services fund varied from \$1.1 million to \$788 thousand, and currently averages near \$1 million annually. HSD's contractual expenditures funded by the brain injury service fund totaled \$1.1 million in FY18 and \$1.2 million in FY19, and the brain injury services program served 225 individuals in FY17 and 185 individuals in FY18. HSD reports the current unexpended fund balance is near \$300 thousand.

Continuing Appropriations

This bill provides for continuing appropriations. The LFC has concerns with continuing appropriation language as earmarking reduces the ability of the Legislature to establish spending priorities.

SIGNIFICANT ISSUES

The Human Services Department (HSD) reports its brain injury services program uses the earmarked brain injury services fund revenue for contractors to provide service coordination, life skills coaching, and fiscal intermediary agent services.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB134 relates to SB171, Increase Brain Injury Service Fee, which proposes to increase by \$1.40 the brain injury services fee collected from persons convicted of a moving traffic violation from \$5.00 to \$6.40 per violation.

OTHER SUBSTANTIVE ISSUES

HSD reports the brain injury services program provides short-term support services to New Mexico citizens living with brain injury who do not qualify for Medicaid. Examples of covered services include professional life skills coaching, home health care, therapies, brain-injury related medications, respite, one-time crisis housing costs, transportation, and assistive devices. The program provides services until individuals are Medicaid eligible or receive funds from another payer source. The brain injury services program also supports the brain injury resource center that provides statewide information, outreach, and referral assistance to any individuals, families, and professionals who are living with a brain injury.

RAE/sec/gb