

LFC Requestor: Self Assigned

2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House

Category: Bill

Number: 40

Type: Introduced

Date (of THIS analysis): 1/28/25

Sponsor(s): Kathleen Cates, Alan Martinez, and Charlotte Little

Short Title: UNIVERSAL ADULT CHANGING STATIONS

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	N/A	N/A

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

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

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

HB 40 seeks to require some public accessed buildings to have at least one universal adult changing station that is accessible to all genders when the facility is open to the public. Venues would include venues of public amusement (auditoriums, convention centers, cultural complexes, an exhibition halls, sports areas, permanent amusement parks, theatres, and movie houses) for which a maximum capacity is two thousand five hundred (2500) people. HB40 also includes a definition for "covered facility", which means a public building or commercial place of public amusement that (a) houses an entity or program that receives state funding to cover any portion of the entity or program's operating costs; and (b) receives at least two thousand five hundred visitors per year, as measured by the tourism department.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

HB 40 would ensure that people living with disabilities requiring the use of continence care products have a safe, secure, and sanitary location to assist them and their caregivers with the changing of the products. While these systems are often labeled "adult changing stations", they are also a great tool for parents who have older children that no longer fit on the smaller changing stations.

The average cost to remodel an existing table can cost up to \$14,000. This amount is impacted by the type of device selected and the cost of installation.

(<https://marylandmatters.org/2024/10/14/more-restrooms-have-adult-size-changing-tables-to-help-people-with-disabilities/>)

Key points about adult changing stations:

- **Accessibility:** They are designed to accommodate larger individuals and provide features like adjustable height and side rails, making it easier for caregivers to assist with changing needs.
- **Hygiene:** Changing on a designated surface instead of the floor significantly improves sanitation and reduces the risk of infection.
- **Sanitation:** Sanitation concerns related to adult changing stations would be similar to a baby changing station where individuals utilizing them, and businesses ensure general cleanliness.
- **Dignity:** Providing a dedicated space for changing can contribute to a more respectful and comfortable experience for the person needing assistance.
- **Community participation:** By enabling individuals with disabilities to access public spaces more easily, adult changing stations can help them participate in social activities and travel freely.

Currently there are 7 states that have enacted legislation to require implementation of adult changing stations. [U.S. Legislation Resources for Adult Changing Stations | CAN-DAN](#)

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No
 If yes, describe how.
- Is this proposal related to the NMDOH Strategic Plan? Yes No
 Goal 1: We expand equitable access to services for all New Mexicans
 Goal 2: We ensure safety in New Mexico healthcare environments
 Goal 3: We improve health status for all New Mexicans
 Goal 4: We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

The installation of these stations would allow people and their caregivers better access to private spaces when using public facilities when they leave their home.

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

HB 40 will have a positive impact on people living with disabilities and their caregivers by providing a sanitary and secure place to take care of their needs when away from their home.

9. HEALTH IMPACT(S)

None

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Without passage of HB 40 many citizens in our community will have to either not be able to change products or may have to use the floors in bathrooms to meet this need.

12. AMENDMENTS

None