

<b>LFC Requester:</b>	<b>Mercer-Garcia, Rachel</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 2/19/25 *Check all that apply:*  
**Bill Number:** HB 463 Original  Correction   
 Amendment  Substitute

**Sponsor:** Rep. Gail Armstrong **Agency Name and Code:** AOC  
**Short Title:** CYFD Perinatal Investigation & Support Unity **Number:** 218  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	\$100	Rec. through FY 27	General

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
Unknown	Unknown	Unknown	Rec.	General

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	Unknown	Unknown	Unknown	Unknown	Rec.	General

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Related to HB 424, establishing a “Statewide Perinatal Advisory Council”.

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

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: HB 463 creates the “Perinatal Investigation and Support Unit” within the Children, Youth and Families Department (CYFD) as a two-year pilot program to investigate and assess all reports of substance-exposed newborns from health care providers statewide made pursuant to the requirements of Section 32A-4-3(A) NMSA 1978.

#### **FISCAL IMPLICATIONS**

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. Any additional fiscal impact on the judiciary would be proportional to the enforcement of this law and any increase in the number of petitions alleging neglect or abuse being filed. New laws, amendments to existing laws and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

#### **SIGNIFICANT ISSUES**

- 1) The American Academy of Pediatrics (AAP) notes that the *ICD-9-CM Official Guidelines for coding and Reporting* states that, “For coding and reporting purposes the perinatal period is defined as before birth through the 28th day following birth.” This means that the perinatal period continues through the 28th day of life, ending on the 29th calendar day after birth because the day of birth is considered day 0. Because the day of birth equals day 0, the day *after* birth is considered day 1.” *Clarification: Perinatal Period Definition*, AAP Pediatric Coding Newsletter, December 2011, [https://publications.aap.org/codingnews/article-abstract/doi/10.1542/pcco\\_book092\\_document002/27879/Clarification-Perinatal-Period-Definition?redirectedFrom=fulltext](https://publications.aap.org/codingnews/article-abstract/doi/10.1542/pcco_book092_document002/27879/Clarification-Perinatal-Period-Definition?redirectedFrom=fulltext) .

In contrast, the World Health Organization (WHO) describes the perinatal period as spanning from 22 completed weeks of gestation and ends 7 completed days after birth. *Perinatal conditions*, World Health Organization, <https://platform.who.int/mortality/themes/theme-details/topics/topic-details/MDB/perinatal-conditions> , and others define the perinatal period as including the whole duration of pregnancy and the first 4 weeks or up to the first year postpartum. See *Perinatal Period*, Science Direct, <https://www.sciencedirect.com/topics/medicine-and-dentistry/perinatal-period> (Citing Psychiatric Clinics of North America, 2020)

HB 463 does not provide a definition for “perinatal”.

#### **PERFORMANCE IMPLICATIONS**

The courts are participating in performance-based budgeting. This bill may have an impact on the measures of the district courts in the following areas:

- Cases disposed of as a percent of cases filed
- Percent change in case filings by case type

**ADMINISTRATIVE IMPLICATIONS**

See “Fiscal Implications,” above.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Related to HB 424, establishing a “Statewide Perinatal Advisory Council”.

**TECHNICAL ISSUES****OTHER SUBSTANTIVE ISSUES****ALTERNATIVES****WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL****AMENDMENTS**

- 1) Provide a definition for “perinatal”. (See “Significant Issues,” #1, above.)