

<b>LFC Requester:</b>	
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
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**SECTION I: GENERAL INFORMATION**

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

*Check all that apply:*

**Original**  **Amendment**  
**Correction**                      **Substitute**

**Date Prepared:** 2025-02-07  
**Bill No:** SB305

**Sponsor(s)** Nicole Tobiassen  
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**Agency Name and Code** CYFD 69000  
**Number:**

**Person Writing Analysis:** Aaron Salas

**Short Title:** QUALITY FOSTER  
 PARENT TASK FORCE

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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	100,000	Non-recurring	General Fund

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0		

0	0	0		
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**ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)**

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	0		0	0		

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

**SECTION III: NARRATIVE**

**BILL SUMMARY**

This bill, if enacted, creates a temporary quality foster parent task force focused on retention and recruitment. The task force consists of the following thirteen members: (1) one member appointed by the governor; (2) one member appointed by the speaker of the house of representatives; (3) one member appointed by the minority floor leader of the house of representatives; (4) one member appointed by the senate president pro tempore; (5) one member appointed by the minority floor leader of the senate; (6) one member appointed by the chief justice of the supreme court; (7) one member representing the Kevin S. settlement agreement; (8) one member representing service providers, appointed by the secretary of children, youth and families; (9) one member representing foster families, appointed by the secretary of children, youth and families; (10) one youth representative, appointed by the Secretary of Children, Youth and Families; (11) one member representing juvenile justice stakeholders, appointed by the Secretary of Children, Youth and Families; (12) one member who is a tribal member with lived experience of the effects of the federal Indian Child Welfare Act of 1978, the Indian Family Protection Act or other similar provisions of the Children's Code; and (13) one at-large representative, appointed by the Secretary of Children, Youth and Families.

This task force will be appointed by 8/1/25 and complete its work by 7/1/26 and will provide a report to the legislative health and human services committee, the legislative finance committee and the governor by July 1, 2026.

**Duties:**

- \* Task force is to collaborate with a higher education institution for research which supports the work of the task force.
- \* Task force to review successful foster care models of other rural states.
- \* Task force is to conduct a "bold" experiment that will assess retention and recruitment of foster parents and resolve the need for children/youth being

cared for in CYFD offices.

## **FISCAL IMPLICATIONS**

This bill appropriates \$100,000 to assist with accomplishing the development and support of this task force. This will cover per diem and mileage for the members of the task force. This will go to the CYFD general fund and any unused funds shall be reverted to the state general fund.

## **SIGNIFICANT ISSUES**

None identified.

## **PERFORMANCE IMPLICATIONS**

The work of this task force will be to conduct an independent evaluation of the NM foster care system and processes. If the Task Force accomplishes its goal and is able to actually solve the issue of children being cared for in offices, then this bill would be a great benefit for the youth of our state as it would ensure that they are receiving the correct level of care.

This bill assumes the primary issue with children being cared for in offices is CYFD's foster care licensing and support processes. However, out of the 2,088 children currently in the custody of CYFD, only about 1% of those children are cared for in offices due to lack of appropriate placements. Of those children, 90% are assessed to have a level of care of Residential Treatment Center or Treatment Foster Care. The issue continues to be the lack of behavioral health services needed to meet the needs of these children. New Mexico has minimal providers offering Treatment Foster Care services. On average, these Treatment Foster Care providers decline more than 85% of the referrals made to them from CYFD.

On paper, the department licenses a sufficient number of resource foster homes to care for all the children in custody. The barrier is the lack of behavioral and mental health care services and supports needed to help those resource parents and maintain the stability of placements of high needs youth in those homes. Another barrier which should be considered is the ability of youth age 14+ who decline the mental and behavioral health services needed to stabilize and support them to be placed in lower levels of care.

The Department is currently modeling the Oklahoma Enhanced Foster Care system to meet the higher level of care needs for children in custody. The development of

this program should help fill the existing gap in placements available to our NM children and youth.

### **ADMINISTRATIVE IMPLICATIONS**

Will need to identify administrative services that will process the per diem and mileage reimbursements for the task force members as well as manage the \$100,000 appropriation.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None identified.

### **TECHNICAL ISSUES**

Will need to develop an MOU or processes that allows this task force and its members to be provided confidential information and data from CYFD needed to conduct its mission.

### **OTHER SUBSTANTIVE ISSUES**

This bill does not address the behavioral and mental health services gaps in our state that are contributing to children being cared for in the office.

### **ALTERNATIVES**

Develop a permanent quality assurance team and process within CYFD that continually conducts reviews of our foster care licensing and support unit. Fully fund this team which at minimum should be 5 FTE staff and 1 FTE supervisor to oversee this team which would be committed to continuous quality improvement of our licensing and support unit. This unit can take on the temporary tasks identified in this bill and provide ongoing data and practice improvement.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The Department will continue to work on improving its foster care system and will continue to develop its Foster Care Plus initiative to address the lack of behavioral services and higher level of care placements in NM.

## **AMENDMENTS**

None.