

**LFC Requester:****Rachel Mercer-Garcia****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:** 2/24/25 *Check all that apply:*  
**Bill Number:** SB363 Original  Correction   
 Amendment  Substitute

**Sponsor:** Sen Padilla **Agency Name and Code** HCA-630  
**Short Title:** Child Protective Authority **Number:** \_\_\_\_\_  
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**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0.0	\$0.0	N/A	N/A

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0.0	\$0.0	\$0.0	N/A	N/A

(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>	\$0.0	\$0.0	\$0.0	\$0.0	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Not known

Duplicates/Relates to Appropriation in the General Appropriation Act: Not known

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

Senate Bill 363 (SB323) would create the “Child Protective Authority” and administratively attach the new entity to the Regulation and Licensing Department. The Child Protective Authority would receive and investigate complaints regarding the handling of child abuse, neglect and foster care cases by the Children, Youth & Families Department (CYFD) and “other child welfare agencies”, perform monitoring and reporting, and operate a toll-free hotline and digital communications portal to receive complaints. The Child Protective Authority would have nine members appointed by the Governor and the Legislature. SB363 would also provide for a complaint process; and it contains confidentiality provisions for records but allows disclosure under certain circumstances, including if disclosure is necessary to enforce the act.

#### **FISCAL IMPLICATIONS**

SB363 proposes to create a new state agency but does not contain an appropriation. The bill has no direct fiscal impact to the Health Care Authority (HCA).

#### **SIGNIFICANT ISSUES**

The bill does not define a “child welfare agency.” It is therefore not known whether the HCA would be subject to the jurisdiction of the Child Protective Authority. The HCA, as the single state Medicaid agency, pays for and coordinates certain health care services for children in state custody. The term “other child welfare agency” should be defined in the bill.

#### **PERFORMANCE IMPLICATIONS**

None for the HCA.

#### **ADMINISTRATIVE IMPLICATIONS**

None for the HCA.

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

None known.

#### **TECHNICAL ISSUES**

None.

#### **OTHER SUBSTANTIVE ISSUES**

None for the HCA.

#### **ALTERNATIVES**

None

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

Status quo

**AMENDMENTS**

None