

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the Legislature. LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

## FISCAL IMPACT REPORT

**SPONSOR** Thomson/Abeyta/Gurrola/Sariñana/  
Gonzales
**LAST UPDATED** \_\_\_\_\_  
**ORIGINAL DATE** 02/21/2025  
**SHORT TITLE** Shaken Baby Syndrome Education
**BILL**  
**NUMBER** House Bill 407  
**ANALYST** Chilton

### APPROPRIATION\* (dollars in thousands)

FY25	FY26	Recurring or Nonrecurring	Fund Affected
	\$300.0	Recurring	General Fund

Parentheses ( ) indicate expenditure decreases.  
 \*Amounts reflect most recent analysis of this legislation.

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

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DOH	No fiscal impact	\$164.3	Uncertain but minimal	At least \$164.3	Largely nonrecurring	General Fund

Parentheses ( ) indicate expenditure decreases.  
 \*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

Agency Analysis Received From  
 Department of Health (DOH)  
 University of New Mexico Health Sciences Center (UNM HSC)

## SUMMARY

### Synopsis of House Bill 407

House Bill 407 (HB407) appropriates \$300 thousand from the general fund to Department of Health (DOH) to collaborate with the University of New Mexico Health Sciences Center (UNM-HSC) Department of Pediatrics to revise and update training materials used to teach new parents about the dangers of abusive head trauma, previously known as shaken baby syndrome. In addition, the bill asks the Department of Health to fully implement the educational program statewide and to collect data on incidence of abusive head trauma perpetrated on New Mexico infants.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

## FISCAL IMPLICATIONS

The appropriation of \$300 thousand contained in this bill is largely a recurring expense to the general fund (the proportion spent on updating current educational materials is non-recurring). Any unexpended or unencumbered balance remaining at the end of FY26 shall revert to the general fund/other fund.

DOH estimates costs of \$91.3 thousand for a health educator's salary, benefits and office expenses and \$73 thousand for that person's travel and expenses in FY26. The agency does not give a continuing cost for updating materials or for continuing supervision of hospital compliance with the law and reporting of incidence of shaken baby syndrome and abusive head trauma.

## SIGNIFICANT ISSUES

As noted by DOH, abusive head trauma, or shaken baby syndrome, is a devastating “type of inflicted traumatic brain injury occurring when a baby is violently shaken.” Parents, not knowing about the condition, and sometimes frustrating by a demanding or crying baby, may shake the baby, causing “the fragile brain to bounce back and forth inside the skull and [leading to] bruising, swelling, and bleeding, which can lead to permanent, severe brain damage or death... Shaken baby injuries usually occur in children younger than 2 years old but may be seen in children up to the age of 5.”

DOH continues:

In the United States, AHT [abusive head trauma] is one of the leading causes of child maltreatment fatalities, accounting for approximately one third of these deaths. An estimate done by the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention indicates medical costs of \$48 thousand over the four years following injury of each child injured through shaken baby syndrome (also called abusive head trauma) and an estimated \$2.6 million lifetime cost for a surviving AHT victim for medical care and related direct costs (2010 USD Lifetime Cost of Abusive Head Trauma at Ages 0–4, USA). Annually, the total medical cost for AHT in the United States is estimated over \$70 million.

In New Mexico, from 2017-2022, 18 AHT deaths occurred to children 0-8 years old. 11 percent of these deaths were confirmed to be due to shaken baby syndrome and (11/18) 61 percent of these AHT deaths were to infants under the age of 1 (The National Center for Fatality Review and Prevention.)

Education about abusive head trauma is likely to decrease the incidence of this condition.

## PERFORMANCE IMPLICATIONS

UNM notes that a firm definition of “abusive head trauma” would need to be developed to make the data collected by DOH meaningful and useful.

## ADMINISTRATIVE IMPLICATIONS

DOH divides the responsibilities for actions related to this bill and to abusive head trauma as follows:

Each birth hospital and birthing center would be required to designate and train personnel to show the video, hand out the printed material, demonstrate the effects of shaking using the doll (obtainable now through UNM HSC), and answer parents' questions.

The requirement in HB407 to provide training to every parent of a newborn presents significant administrative considerations. In 2023, there were 20.6 thousand live births in New Mexico across various facilities <https://ibis.doh.nm.gov/query/result/birth/BirthCntyBirth/Count.html>. Delivering a 30-minute training session for each birth would amount to approximately 10.3 thousand hours of instruction. It is important to note that this training would be conducted by personnel at birthing centers and hospitals rather than by DOH staff. However, DOH staff would be required to conduct training, develop materials, and potentially manage contractual agreements.

## CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to 2017 Senate Bill 21, Shaken Baby Syndrome Educational Materials, which mandated shaken baby education in birth hospitals throughout New Mexico.

## ALTERNATIVES

UNM comments:

A better use of the funds would likely be to instruct DOH to use [the funds] to collaborate with UNM to develop a child abuse prevention agenda that includes updating educational materials on abusive head trauma and other efforts deemed useful by DOH and UNM specialists. "Other efforts" could include funding periodic surveys of New Mexican young adults about their child maltreatment experiences. Such a survey has been developed at UNM. Data collection from 1,000 respondents has recently been completed.

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

Although abusive head trauma education will continue without this bill, it would rely on outdated materials, and there would be no data collection regarding the incidence of the problem.

LAC/hj/S12