

1 SENATE BILL 361  
2 57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

3 INTRODUCED BY  
4 Michael Padilla  
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10 AN ACT

11 RELATING TO CHILDREN; REQUIRING THE CHILDREN, YOUTH AND  
12 FAMILIES DEPARTMENT TO ISSUE A REQUEST FOR PROPOSALS AND  
13 CONTRACT WITH AN INDEPENDENT EXPERT TO ASSESS THE DEPARTMENT'S  
14 PROGRAMMATIC PERFORMANCE.  
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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. [NEW MATERIAL] PROGRAM PERFORMANCE AUDIT--  
18 REQUIREMENTS.--

19 A. The children, youth and families department  
20 shall issue a request for competitive sealed proposals for an  
21 independent, multiyear performance audit of the department's  
22 programs. The request for proposals shall specify the:

- 23 (1) qualifications of the performance auditor;  
24 (2) goals and objectives of the procurement;  
25 (3) scope of work, which shall:

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1 (a) consider the department's capacity  
2 and ability to function effectively, efficiently, economically,  
3 ethically and equitably;

4 (b) include performance audit  
5 objectives;

6 (c) require an evaluation of the  
7 efficacy of the department's mission and the established goals  
8 and objectives to carry out that mission and how well  
9 department policies and practices relate to department mission  
10 goals and objectives;

11 (d) require a review of the  
12 applicability and sufficiency of the department's policies and  
13 practices as they relate to the department's mission;

14 (e) evaluate the commitment of  
15 department management and staff to follow policies and  
16 procedures;

17 (f) evaluate the strengths and  
18 weaknesses of department processes, procedures and policies;

19 (g) evaluate the department's management  
20 of human resources, including a review of the accuracy of job  
21 descriptions and the qualifications of job holders to perform  
22 the described jobs;

23 (h) evaluate the department's collection  
24 and analysis of data and the use of data to inform the  
25 development of policies and practices;

1 (i) include the required provision of  
2 three annual performance audits with three annual six-month  
3 reviews of earlier identified problem areas, a review of the  
4 department's implementation of recommendations made by the  
5 auditor and other requirements specified by the department; and

6 (j) include the requirement for annual  
7 and semiannual reports to the department;

8 (4) evaluation factors the department will use  
9 to score proposals; and

10 (5) other provisions required by the  
11 Procurement Code for professional services and competitive  
12 sealed proposals.

13 B. Records of proposals submitted pursuant to  
14 Subsection A of this section shall remain confidential until  
15 the contract is awarded.

16 C. If the performance audit at any stage indicates  
17 the need for a special financial audit, the performance auditor  
18 shall notify the secretary of children, youth and families, and  
19 the secretary shall cooperate with the state auditor in the  
20 conduct of the special financial audit.

21 D. The children, youth and families department  
22 shall transmit annual performance audit and interim review  
23 reports to the governor, the legislative finance committee and  
24 the legislative health and human services committee within  
25 fifteen days of the performance auditor's submission to the

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1 secretary of children, youth and families. Reports shall not  
2 contain confidential information or data that identifies  
3 individual clients or their families.

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