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FISCAL IMPACT REPORT



SPONSOR: Whitaker DATE TYPED: 2/4/02 HB 280

SHORT TITLE: License Exception for 12-Step Program SB _____

ANALYST: J. Sandoval

APPROPRIATION

| Appropriation Contained | | Estimated Additional Impact | | Recurring or Non-Rec | Fund Affected |
|-------------------------|------|-----------------------------|------|----------------------|---------------|
| FY02 | FY03 | FY02 | FY03 | | |
| | NFI | | | | |
| | | | | | |

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 168

SOURCES OF INFORMATION

LFC files

Responses Received From
 Department of Health
 Health Policy Commission
 Children, Youth and Families Division

No Response
 Regulation and Licensing Department

SUMMARY

House Bill 280 amends the Counseling and Therapy Practice Act to allow individuals who serve as peer counselors for a twelve-step recovery program or similar self-help chemical dependency recovery program to be exempt from the act.

Significant Issues

The 12-step recovery program described does not offer chemical dependency treatment or charge program participants and allows program participants to maintain anonymity.

FISCAL IMPLICATIONS

None reported.

ADMINISTRATIVE IMPLICATIONS

None reported.

RELATIONSHIP

House Bill 280 relates to House Bill 168, which amends the same section of the Counseling and Therapy Practice Act for the same reason but only for substance abuse peer counseling within the Corrections Department.

OTHER SUBSTANTIVE ISSUES

Volunteer peer counselors are not licensed, certified or regulated under the Professional and Occupational Licenses Act. Other counselors currently exempted include school counselors, domestic violence counselors, ministers or other lay pastoral-care assistants, and students enrolled in counseling education.

Volunteer counselors are often recovered/recovering substance abusers who have experienced the difficulties and barriers to get well, and can empathize with clients. This practice of using recovered/recovering substance abusers is at the very essence of Alcoholics Anonymous (AA) programs, Narcotics Anonymous, Cocaine Anonymous, Alanon, etc..

There are not enough counselors in New Mexico who treat uninsured, under-insured, and low-income populations. Such populations have few choices to get help. Volunteer services through 12-step programs may provide a service for many that have a need, but no money, to pay for counseling. Without such programs, more people will go without help.

POSSIBLE QUESTIONS

1. Will House Bill 280 achieve the same purpose as House Bill 168?
2. Is there a threat to the health and safety of individuals putting their trust in these peer counselors that are exempt from the Counseling and Therapy Practice Act?
3. Other than experience and empathy, what kind of training do these peer counselors undergo?
4. How complicated and what is required to recover from drug abuse?

JFS/njw