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FISCAL IMPACT REPORT

SPONSOR Grubestic DATE TYPED 02/19/05 HB _____

SHORT TITLE Human Services Referral Service Liability SB 623

ANALYST Weber

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Human Services Department

SUMMARY

Synopsis of Bill

Senate Bill 623 provides liability protection for an employee, agent, financial supporter or volunteer of an entity providing referral services for human services functions.

The bill provides that an employee, agent, financial supporter or volunteer of a human services referral service is not liable for damages in a civil action for injury, death or loss to a person or property arising from the good faith conduct by the employee, agent, financial supporter or volunteer while acting within the scope of the duties performed for the referral service.

However, if the employee, agent, financial supporter or volunteer of the referral service acts intentionally or with gross negligence, the liability protection does not apply.

Significant Issues

The Human Services Department reports.

A human services referral service is defined as “a referral service that responds to question from consumers or potential consumers of public assistance, federal entitlement programs or other human services programs.” In addition the protection only applies if a dedicated three digit toll

free number is called.

Human Services reports at this time, no such referral service exists. HSD employees who provide information to the public are protected from liability by the New Mexico Tort Claims Act.

MW/yr