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FISCAL IMPACT REPORT

ORIGINAL DATE 1-23-06

SPONSOR Boykin LAST UPDATED _____ HB 53

SHORT TITLE Southern NM Behavioral Health Services SB _____

ANALYST Collard

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$3,300.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB 15, Relates to SB 14 and SB 137

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)
 Human Services Department (HSD)
 Children, Youth and Families Department (CYFD)
 New Mexico Corrections Department (NMCD)
 Developmental Disabilities Planning Council (DDPC)

SUMMARY

House Bill 53 appropriates \$3.3 million from the general fund to DOH for the purpose of providing behavioral health services in southern New Mexico as follows: \$2.5 million for inpatient assessment and treatment for individuals in protective custody or 30-day involuntary civil commitment, \$400 thousand to establish a mobile crisis team to work with law enforcement, and \$400 thousand for residential and non-residential transitional treatment or temporary day beds for court-ordered jail diversion.

FISCAL IMPLICATIONS

The appropriation of \$3.3 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY07 shall revert to the general fund.

HSD indicates some of the individuals who would benefit from the services outlined under this

bill could potentially be Medicaid eligible and those services would therefore be eligible for a federal Medicaid match. However, the populations implied by these services are not typically Medicaid-eligible. Therefore, the fiscal implications for HSD are not likely to be significant.

The fiscal impact on NMCD is minimal. Having more treatment options available to the mentally ill may provide a treatment option rather than incarceration for the mentally ill. The facility would also be utilized to house seriously mentally ill probationers and parolees as necessary. Having greater resources for dealing with issues of mental illness may reduce the number of probation and parole revocations.

SIGNIFICANT ISSUES

DOH indicates it currently purchases a majority of its behavioral health services through the Behavioral Health Purchasing Collaborative's contract with ValueOptions-New Mexico (VO-NM). These services are provided through contract providers in southern New Mexico in through Region 4 and 5. Approximately \$400 thousand is allocated for psychiatric care in the two regions (4 and 5). Mobile Crisis services will require appropriate professionals, oversight and management.

HSD indicates beginning in July 2005, all public behavioral health services in the state are being coordinated through a contracted statewide entity (VO-NM). Presumably, that statewide entity would also coordinate this appropriation.

Local Behavioral Health Collaboratives should be part of the decision-making process regarding the need for specific behavioral health services in their geographic area. It is not known whether any Local Collaborative in southern New Mexico has been consulted regarding this appropriation.

NMCD indicates having greater resources for dealing with issues of mental illness may reduce the number of crimes and probation/ parole revocations. An increase in the number of treatment options might also reduce recidivism.

A small number of prisoners, three in 2005, were involuntarily committed upon release. This procedure is used when the prisoner being released has a particularly high probability of injuring themselves or others, as a result of their mental illness. These commitments are for a short period of time, thirty days or less, and are used to transition the inmate with serious mental illness back into society. More facilities would allow more options when releasing this type of inmate.

DDPC states, when persons with developmental disabilities have co-occurring behavioral health disorders, they are more likely than persons without developmental disabilities to be incarcerated, placed under protective custody or involuntarily committed. DDPC hears reports on a regular basis about persons with mental retardation or developmental disabilities who have been housed in county jails or under inpatient psych settings for extended periods of time without appropriate assessment, treatment and diversion to more appropriate, less restrictive settings. This bill, if passed, will help address this problem in the southern part of the state.

ADMINISTRATIVE IMPLICATIONS

DOH indicates this bill may have some administrative impact, as it requires the development of a treatment facility, the establishment of short-term or crisis residential housing, and the creation of a mobile crisis team.

DUPLICATION, RELATIONSHIP

House Bill 53 duplicates Senate Bill 15. Additionally, it relates to Senate Bill 14 that would appropriate \$3 million to DOH for Assertive Community Treatment teams in southern New Mexico and Senate Bill 137, which would appropriate \$2 million to leverage resources and provide mobile crisis, assertive community treatment and residential treatment services in Dona Ana County and southern New Mexico.

ALTERNATIVES

DOH suggests continuing with the inpatient and community-based services currently purchased by VO-NM under the guidance and supervision of the Behavioral Health Purchasing Collaborative. Additionally, allow the Local Collaboratives to begin their Phase 2 work on service needs and gaps to insure appropriate utilization of funds in the behavioral health service system in Regions 4 and 5 and across the state.

KBC/mt