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FISCAL IMPACT REPORT

SPONSOR Komadina ORIGINAL DATE 01/20/07
LAST UPDATED _____ HB _____
SHORT TITLE Amend Definition of "Emergency" SB 21
ANALYST Hanika Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
NFI			

SOURCES OF INFORMATION

LFC Files

Responses Received From
Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

Senate Bill 21 attempts to revise the definition of the term "emergency" as used in Section 24-10-3 relating to "persons coming to aid or rescue of another rendering emergency care; release from liability", and as used in Section 24-10-4 NMSA 1978 relating to "emergency defined".

The effective date of the provisions of this act is July 1, 2007.

FISCAL IMPLICATIONS

There is no appropriation attached to this legislation.

SIGNIFICANT ISSUES

An emergency situation is a situation in which immediate medical care or intervention is necessary to prevent the death or serious impairment of the health of an individual.

Current law defines "emergency" as an "unexpected occurrence of injury or illness occurring in public or private places to a person that results from motor vehicle accidents and collisions; acts of God; and other accidents and events of similar nature". Senate Bill 21 appears to expand on the current definition to include medical or physical conditions or illnesses that may threaten

harm to a person and attempts to provide further release from liability for persons coming to the aid or rescue of another in the rendering of emergency care.

TECHNICAL ISSUES

Beginning at line 25, “A. a medical or physical condition, including birth, birthing or death: B. illness...” may appear vague and unclear as to the actual intent of this language. A suggestion would be to replace line 25 of page 1, and lines 1 and 2 of page 2, with “an adverse health event” and re-alphabetize accordingly.

OTHER SUBSTANTIVE ISSUES

The Attorney General’s Office reviewed the bill with no issues or concerns identified.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Failure to adopt these rule changes may result in recipients being denied care or services that are actual emergency situations because of reservations on the part of the first responders.

AHO/nt