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## FISCAL IMPACT REPORT

**SPONSOR** Maestas **ORIGINAL DATE** 02/19/09  
**LAST UPDATED** \_\_\_\_\_ **HB** 770  
**SHORT TITLE** Inpatient and Outpatient Drug Counseling **SB** \_\_\_\_\_  
**ANALYST** Chabot

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$10,000.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to HB 221, Behavioral Health Screening and Intervention

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Finance and Administration (DFA)

Department of Health (DOH)

Human Services Department (HSD)

New Mexico Corrections Department (NMCD)

Public Defender Department (PDD)

### SUMMARY

#### Synopsis of Bill

House Bill 770, Inpatient and Outpatient Drug Counseling, appropriates \$10 million from the general fund to DOH for the purpose expanding drug and alcohol counseling and treatment programs both in inpatient and outpatient settings.

### FISCAL IMPLICATIONS

The appropriation of \$10 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2010 shall revert to the general fund.

The LFC submitted a balanced general fund appropriation recommendation for fiscal year 2010. Any additional general fund expenditures appropriated by the Legislature must be off-set by an equal amount from the appropriation recommendation.

According to the February 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$575 million less than the FY09 appropriations before the 2009 solvency reductions. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

### **SIGNIFICANT ISSUES**

Behavioral health responsibilities were transferred to the Human Services Department, Behavioral Health Collaborative in the 2007 session.

HSD states increased treatment services for substance abuse are a priority of the Behavioral Health Collaborative and the Behavioral Health Planning Council.

DOH provides “HB 770 addresses New Mexico’s very significant substance abuse problems. New Mexico’s problems related to chronic/heavy drinking and alcohol dependence and abuse are among the worst in the nation. Per the National Survey on Drug Use and Health, New Mexico’s rates of alcohol dependence and abuse are consistently among the highest in the nation; and for the past fifteen years, New Mexico’s death rates from alcohol chronic diseases have consistently been first or second in the nation at 1.5 to 2 times the national rate. The most recent data for drug-induced death ranks New Mexico second highest in the nation (20.9 deaths per 100,000 population).” DOH operates four facilities addressing chemical dependency (Yucca Lodge, the Behavioral Health Institute, New Mexico Rehabilitation Center and Turquoise Lodge.

NMCD states “Substance abuse treatment for individuals always has the potential to reduce the number of new substance abuse-related criminal convictions, and to reduce the number of substance abuse-related probation/parole violations.... Such treatment can ultimately reduce NMCD’s prison population and probation/parole caseloads.”

NMCD estimates 85 percent of the offenders entering its system have an addiction or problems with drugs and/or alcohol.

### **ADMINISTRATIVE IMPLICATIONS**

HSD reports the additional general funds for substance abuse treatment would be monitored and overseen through the Behavioral Health Collaborative contract with a single statewide entity and the Collaborative Oversight, Administrative, and Quality Improvement Cross Agency Teams.

### **TECHNICAL ISSUES**

HSD is responsible for behavioral health issues; on line 17 strike “department of health” and insert “human services department”

GAC/mc