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FISCAL IMPACT REPORT

ORIGINAL DATE 02/18/13

SPONSOR Lopez LAST UPDATED _____ HB _____

SHORT TITLE Developmental Disabilities Service Training SJM 35

ANALYST Wojahn

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY13 | FY14 | FY15 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|------|---------|---------|----------------------|------------------------------|------------------|
| Total | | \$488.1 | \$488.1 | \$976.2 | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

Homeland Security and Emergency Management Department (HSEMD)

Developmental Disabilities Planning Council (DDPC)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 35 (SJM35) proposes the Department of Health (DOH) to develop a training program for healthcare providers and first responders on standards for safe interaction with individuals with developmental disabilities. These healthcare and first responders are named specifically in the bill:

- firefighters;
- police;
- emergency medical technicians;
- doctors;
- nurses;
- laboratory technicians; and
- other health care and emergency response personnel.

SJM35 specifies that the training the DOH is requested to offer include the following topics, at a minimum:

- Developmental disability advocacy;

Senate Joint Memorial 35 – Page 2

- Foundations in health and wellness for individuals with developmental disabilities;
- Protective behaviors support strategies;
- Sexuality for individuals with developmental disabilities;
- Effective teamwork; and
- Any other curriculum that the Department of Health deems effective.

SJM35 also asks the DOH to consult with the community of individuals with developmental disabilities and the families and caregivers to develop other curricula that would be effective training tools for healthcare providers and first responders.

SJM35 further asks that the following agencies require their personnel to receive this training, including the:

- DOH, including all divisions related to developmental disabilities, health care delivery emergency services, public health, behavioral health and health facilities licensure;
- Regulation and Licensing Department, including constituent professional boards relating to health and human service occupations;
- Department of Public Safety;
- Homeland Security and Emergency Response agencies; and
- State, federal, city, county and rural law enforcement agencies, emergency response agencies, and firefighters.

FISCAL IMPACT

SJM 35 has a significant, recurring fiscal impact. The DOH calculated needing at least 4 FTE to develop this training and cover regions throughout New Mexico. Contractual services, along with other costs such as leased space, vehicles, supplies, computers, training facility rentals and per diem, are part of the calculation. The DOH noted all funding from the general fund is training and not eligible for Medicaid match; stipends may be needed to get emergency responders and health care providers to attend training.

SIGNIFICANT ISSUES

The primary goal of SJM35 is to train health care providers and first responders regarding issues that individuals with developmental disabilities present during emergency situations that may interrupt, prolong, or preempt healthcare for their physical or behavioral health needs.

According to the DOH, this training could result in reducing the incidence of individuals with developmental disabilities who do not receive appropriate care in emergency situations, hospitals and other healthcare settings. This training also could reduce the incidence of the use of physical force (or use of more restrictive interventions such as tasers) with these individuals when law enforcement is called to intervene.

In 2003, the DOH consulted the UNM Center for Development and Disability to develop tip sheets for first responders. In the months following the terrorist attacks of September 11, 2001, the DOH convened a task force to examine the state's emergency response plans. Representatives of disability organizations were task force members, as were state agencies, emergency medical response organizations, and faith-based organizations.

Based on requests from first responders, public safety organizations and emergency medical personnel, the task force made a recommendation that tip sheets for first responders be developed. The DOH worked with the Center for Development and Disability to develop the tip sheets. Each tip sheet was developed in a three-stage process. First, people with each disability included in the tip sheets participated in focus groups to develop a draft set of recommendations. Next, professionals from academic and professional organizations focused on that disability completed a second draft. Finally, a group of first responders made revisions to ensure that they tips were in a form that could be easily and quickly understood in high-pressure, emergency situations (<http://cdd.unm.edu/dhpd/tips.asp>). This process could serve as a model to implement the spirit of HJM35.

PERFORMANCE IMPLICATIONS

The Homeland Security and Emergency Management Department indicated they will support this legislation by requiring all department personnel to complete the required training once it is developed and offered by the DOH.

ADMINISTRATIVE IMPLICATIONS

DOH's Developmental Disabilities Support Division (DDSD) and other appropriate DOH programs would provide expertise to the population of individuals with developmental disabilities or medically fragile health conditions, their families, friends and anyone committed to supporting and advocating for individuals with special needs in New Mexico.

The proposed legislation contains no appropriation for DOH staff or other activities that will be required to carry out its provisions and requirements, which will increase workload and time required to consult, develop, and carry out the training.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HJM 35 relates to House Bill 511, Senate Bill 171, and Senate Joint Memorial 27.

OTHER SUBSTANTIVE ISSUES

State and municipal agencies SJM 35 would affect did not indicate whether this memorial would duplicate any training they may already provide in their academies, training and refresher courses.

AMENDMENTS

The DOH suggests amending Page 1, line 15, to replace the term "individuals with developmental disabilities" with "individuals with intellectual and developmental disabilities" to reflect changes in federal language.

MEW/blm