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FISCAL IMPACT REPORT

SPONSOR O'Neill ORIGINAL DATE 2/12/18
 LAST UPDATED _____ HB _____

SHORT TITLE Family Member Care Service Reimbursement SB 77

ANALYST Esquibel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Indeterminate	Indeterminate	Indeterminate	Recurring	General Fund and Matching Federal Funds

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Attorney General (NMAG)
 Children, Youth and Families Department (CYFD)

Responses Not Received From

Human Services Department

SUMMARY

Synopsis of Bill

Senate Bill 77 would enact a new section of law in order to require the Human Services Department (HSD) to allow for reimbursement to a family member for the provision of “personal care services” to an eligible recipient as determined by definition and HSD.

An eligible recipient for personal care services are those who:

1. Are at least 21 years old
2. Unable to perform at least two activities of daily living because of disability or functional limitation, and;
3. Whom HSD has deemed eligible to receive personal care services.

The bill defines family member to be a spouse, child, sibling, parent or grandparent.

The bill would prohibit HSD from denying reimbursement for the personal care services who is otherwise qualified to provide such services or to require a criminal background check as a condition of reimbursement.

FISCAL IMPLICATIONS

The bill does not include an appropriation.

Depending on possible Medicaid eligibility and reimbursement requirements, the bill would have an interdentate fiscal impact on the state general fund and federal matching funds.

SIGNIFICANT ISSUES

The New Mexico Attorney General indicates the standards to be used by HSD in determining whether a person is eligible to receive personal care services are not included in this bill, nor is there direction to an existing set of criteria in order to make such a determination.

The bill does not describe how the amount of reimbursement of the costs of personal care services will be determined, nor which entity(ies) would make that determination.

The bill does not describe exactly what entity will pay the reimbursement.

The bill does not describe how a family member or personal care services recipient would apply for a determination of eligibility or reimbursement nor is direction given to an existing process.

RAE/al