

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website ([www.nmlegis.gov](http://www.nmlegis.gov)).

## FISCAL IMPACT REPORT

SPONSOR Papen ORIGINAL DATE 1/28/2020  
 LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Contraception Awareness Campaign SB 41

ANALYST Klundt

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$500.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY20	FY21	FY22		
	See Fiscal Impact		Recurring	Federal Funds Human Services Department

(Parenthesis ( ) Indicate Revenue Decreases)

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY20	FY21	FY22	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		\$30.4	\$30.4	\$60.8	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to House Bill 2, Senate Bill 40

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
 Department of Health (DOH)

### SUMMARY

### Synopsis of Bill

Senate Bill 41 (SB 41) appropriates \$500 thousand from the general fund to the Department of Health (DOH) for a public awareness campaign regarding long-acting reversible contraceptives (LARC). The funds are appropriated from the general fund to NMDOH for expenditure in fiscal years 2021 and 2022.

### **FISCAL IMPLICATIONS**

The appropriation of \$500 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2022 shall revert to the general fund.

The LFC recommendation for the FY21 DOH operating budget included an increase \$400 thousand general fund revenue for LARC training, not included in the executive recommendation.

The executive recommendation included \$1.1 million for LARC training in special appropriations while the LFC recommendation included \$800 thousand.

DOH noted the development, maintenance, and evaluation of a public awareness campaign would require the time and expertise of a .5 full-time-equivalent (FTE) position. This is proposed to be a half-time position, the cost is estimated at \$30,429.87 annually for this position (NM State Personnel Office, Classification and Pay Listing) supplies, IT, and, administrative support could be included at \$5,000 annually.

In addition, DOH noted there is the potential for additional revenue based on increased awareness and use by consumers for LARC; however, it is difficult to estimate at this time. Medicaid and third-party billing is allowed for LARC depending on provider agreements with payors.

### **SIGNIFICANT ISSUES**

DOH reported:

“SB41 proposes an appropriation for a public awareness campaign regarding LARC. Public awareness campaigns focused on all women of reproductive age have not been well-documented; however, there are multiple public awareness campaigns for the younger than 30-year-old female population around birth control (including LARC) and information on where to find family planning services, as done in New Mexico (<http://www.whoopsproof.org/nm> and <http://stayteen.org/sex-ed/birth-control-explorer>, retrieved on 1/21/2020); Baltimore, MD (<https://www.uchoosebaltimore.org/>, retrieved on 1/7/2020); New York City, NY (<https://www.citylab.com/life/2015/10/why-the-city-of-new-york-wants-to-talk-to-you-about-iuds/409375/>, retrieved on 1/2/2020); and South Carolina (<http://www.whoopsproofsc.org/>, retrieved on 1/7/2020).

Increasing awareness of and access to contraception is a proven strategy for reducing unintended pregnancy and achieving healthy spacing of births. Research, planning, and

knowing the audience are critical to a successful awareness campaign (<https://socialmedia.mayoclinic.org/2018/02/26/how-to-create-an-awareness-campaign-with-social-media-understanding-your-audience/>, retrieved on 1/6/2020).

A model for a public awareness campaign could include a taskforce to provide strategic direction, planning, and implementation activities, in addition to an advisory council to provide feedback and ideas for the initiative. Such a model was implemented in Baltimore (“Know What U Want U Choose,” <https://www.uchoosebaltimore.org/>, retrieved on 1/7/2020).

According to the 2017 Pregnancy Risk Assessment and Monitoring System (PRAMS), over 45% of pregnancies in NM are unintended (either mistimed or not intended) (<https://ibis.health.state.nm.us/query/builder/prams/PregIntent2012/PregIntent2012.html>, retrieved on 12/27/2019). SB41 could potentially impact 398,658 women of child-bearing age (meaning 15-44 years old) in NM (<https://ibis.health.state.nm.us/query/result/pop/PopCnty/Count.html>, retrieved on 12/26/2019). The 2017 rate of unintended pregnancy is higher in teens younger than 20 years of age (46.8%) than in women 20 years and older (24.7%) (<https://ibis.health.state.nm.us/query/builder/prams/PregIntent2012/PregIntent2012.html>, retrieved on 1/7/2020).

In NM, the use of LARC has increased from 8% in 2011 to 37% in 2018 by NM Title X/Family Planning female clients of childbearing age (NM Family Planning Program, Family Planning Annual Report (<https://www.hhs.gov/opa/title-x-family-planning/fp-annual-report/index.html>, retrieved on 12/27/2019). Intrauterine devices (IUDs) and implants are available at both state-government-operated public health offices and Title X clinics at Federally Qualified Health Centers and School-Based Health Centers. Overall, over 37% of NM Family Planning Program female clients of childbearing age used one of the two most effective reversible methods in 2018, which was a 12% increase from 2017. For clients who do not plan a pregnancy in the near future, providers counsel using the shared-decision making model (a model where the client’s health, safety, and best interest is central to the decision-making process and the choice is made in concurrence with her clinician). Access to a wide range of birth control methods is available to clients, reducing barriers to the client’s preferred contraceptive method, including the most effective methods.

NM Family Planning Program’s previous three-year-long digital ad campaign with National CineMedia raised awareness about LARC for teens and young adults and provided information for access to services. The campaign consisted of cross-platform banner ads and geo-fencing of teen-friendly locations (which target website ads on phones belonging to owners of a certain age who cross over certain boundaries such as a shopping mall, a school, or a movie theater). Ads on websites directed females to websites that give information about contraceptive choices available to teens: (<http://stayteen.org/sex-ed/birth-control-explorer> for 13-17 year olds) and (<http://www.whoopsproof.org/nm> for 18-19 year olds). NM Family Planning Program analyzed the rate of use of implants & IUDs (most-effective birth control methods) in public health offices (PHOs) on a quarterly basis through the NMDOH electronic health record system, over the 3-year period of the digital advertising campaign, before the intervention and during the intervention. During this time, the use of implants & IUDs in

females aged 15-19 years have gone from an all-time low of 12% in Jul-Sep 2016, before the intervention began to 30% in Apr-Jun 2019, a 66% increase (NM Family Planning Program internal report, <https://nmhealth.org/about/phd/fhb/fpp/>, reviewed on 1/2/2020).

SB41 could potentially affect stakeholders and consumers by providing information about birth control and family planning, access, effectiveness, provider expansion in underserved areas, and revenue opportunity.

SB41, with its contraceptive awareness campaign, may affect other state agencies:

- NM Human Services Department (for Medicaid reimbursement of LARC services)
- NM Office of the Superintendent of Insurance (for private insurance reimbursement of LARC services)
- NM Medical Board, NM Osteopathic Board, and NM Board of Nursing (for training and licensure of clinicians providing LARC services)
- NM Board of Pharmacy (for the receipt and monitoring of LARC devices and related pharmaceutical/medical supplies).”

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Relates to House Bill 2, see fiscal impact.

Relates to Senate Bill 40, which proposes to appropriate \$1.2 million from the general fund to DOH for expenditure in FY2021 and subsequent fiscal years for a mentoring program that trains health care providers and staff with respect to the provision of services related to LARC.

KK/sb