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FISCAL IMPACT REPORT

1/30/2020
ORIGINAL DATE 2/5/2020
LAST UPDATED 2/9/2020 **HB** _____

SPONSOR Ortiz y Pino

SHORT TITLE Workplace Violence Against Health Workers **SJM** 5/aSRC/aSPAC

ANALYST Esquibel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY20	FY21	FY22	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$1.3	\$1.7		\$3.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)

Human Services Department (HSD)

SUMMARY

Synopsis of SPAC Amendments

The Senate Public Affairs Committee amendments to Senate Joint Memorial 5 as amended by the Senate Rules Committee struck the Senate Rules Committee amendment that stated “meetings of the work group be open to the public, subject to the same notice provisions and exceptions provided in the Open Meetings Act.”

The Senate Public Affairs Committee added the New Mexico Academy of Physicians Assistants to the list of 19 groups currently requested to participate in the work group.

The Senate Public Affairs Committee added that the meeting of the work group “be open and inclusive to the extent practicable.”

Synopsis of SRC Amendment

The Senate Rules Committee amendment to Senate Joint Memorial 5 resolves that the meeting of the work group be open to the public and subject to the provisions of the Open Meetings Act.

Synopsis of Original Bill

Senate Joint Memorial 5 (SJM5) requests the Interagency Behavioral Health Purchasing Collaborative to convene a work group to study issues pertaining to violence against health care workers in the workplace, including:

- A. the incidence of violence against health care workers in the workplace;
- B. the effectiveness of state laws penalizing battery against health care workers in deterring workplace violence against health care workers;
- C. data on the extent to which individuals with intellectual and developmental disabilities or mental illness have been charged pursuant to this law;
- D. options for treatment-focused alternatives to the current statute for protection of health care workers from workplace violence.

The work group would be composed of representatives from New Mexico Counties; the Municipal League; Department of Health; Human Services Department; Aging and Long-Term Services Department; Children, Youth and Families Department; the Training and Recruiting Division of the Department of Public Safety; Corrections Department; Administrative Office of the Courts; Public Defender Department; Administrative Office of the District Attorneys; Bernalillo County Forensic Intervention Consortium; Hospital Association; Nurses Association; Medical Society; Disability Rights New Mexico; National Alliance on Mental Illness New Mexico; and the Department of Psychiatry and Behavioral Sciences at the University of New Mexico Health Sciences Center.

The Interagency Behavioral Health Purchasing Collaborative would report its findings and recommendations to the appropriate interim legislative committee by November 1, 2020. Copies of the memorial will be transmitted to the chair and co-chair of the Interagency Behavioral Health Purchasing Collaborative and the co-chairs of the New Mexico Legislative Council.

FISCAL IMPLICATIONS

Senate Joint Memorial 5 (SJM5) does not include an appropriation. The agencies identified in the memorial would be required to absorb the cost of their staff's participation in, and any administrative support for, the work group.

The Human Services Department estimates its financial impact associated with implementation of SJM5 would total \$3 thousand. The fiscal impact is based on convening one 4-hour meeting per month for nine months with attendance from HSD's Behavioral Health Services Division Director and associated administrative support.

ADMINISTRATIVE IMPLICATIONS

The Secretary of the Human Services Department chairs the Interagency Behavioral Health Purchasing Collaborative and would be responsible for convening the work group and compliance with reporting requirements, along with the co-chairs and CEO of the Collaborative.

Senate Joint Memorial 5/aSRC/sSPAC – Page 3

A representative from the Human Service Department is included in the proposed work group and would be responsible for preparing for and attending work group meetings, contributing to the study as specified in the bill, and assisting with report preparation.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SJM5 relates to SB86, Behavioral Health Purchasing Collaborative Membership, which would expand the membership of the Behavioral Health Collaborative.

TECHNICAL ISSUES

HSD notes as a means of addressing mental health stigma in the workforce, the work group may also consider addressing licensure for health care professionals to require training in evidence-based programs such as Mental Health First Aid.

RAE/al