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FISCAL IMPACT REPORT

ORIGINAL DATE 02/02/21

SPONSOR Ortiz y Pino LAST UPDATED _____ HB _____

SHORT TITLE Brain Injury Service Fund SB 109

ANALYST Valenzuela

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY21	FY22		
	\$500.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Department of Health (DOH)

Human Services Department (HSD)

SUMMARY

Synopsis of Bill

Senate Bill 109 (SB109) would appropriate \$500 thousand from the general fund to the brain injury services fund for expenditure in FY22 and subsequent fiscal years to maintain the statewide brain injury services program designed to increase the independence of people with brain injuries.

FISCAL IMPLICATIONS

SB109 would appropriate \$500 thousand from the general fund to the brain injury services fund for expenditure in FY22 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of FY22 would not revert to the general fund but would revert to the brain injury services fund.

The Human Services Department (HSD) manages the Brain Injury Services Fund (BISF), or trust fund. According to HSD, “the BISF began FY21 with a fund balance of \$1.4M to support HSD contracts totaling \$1.3M. The BISF receives revenues from a \$5.00 fee applied to each moving traffic violation issued in New Mexico and HSD receives \$462 thousand from the general fund to supplement the BISF. Total collections for FY21 are projected to be \$559.3 thousand”.

HSD indicates the funds are used to support contracts for “Service Coordination and Fiscal Intermediary Agent services that arrange and pay for BISF home and community-based services. The trust fund also supports the New Mexico Brain Injury Resource Center (BIRC) that provides statewide information and referral assistance to individuals, families, and professionals in the brain injury community”. Any unexpended balances at the end of the fiscal year revert to the trust fund.

The BISF program served 188 individuals in FY19, 81 individuals in FY20, and 123 individuals in FY21 to date.

SIGNIFICANT ISSUES

HSD provides the following:

The BISF program provides short-term support services to New Mexico citizens living with brain injury who do not qualify for Medicaid. Examples of covered services include professional life skills coaching, homecare/home health, therapies, brain-injury related medications, respite, one-time crisis housing costs, transportation, and assistive devices. This program serves as a gateway for those who are newly injured and are waiting to become Medicaid eligible. Services are provided until another payer source is identified, the individual’s crisis is resolved, or the participant has reached annual, service or lifetime limits.

Section 21-1-16 NMSA 1976 creates the brain injury services fund, used to maintain a statewide program to assist people live independent lives. Under the motor vehicle code, the brain injury services fund receives \$5.00 per moving traffic violation.

According to information in the state’s financial system, the brain injury service fund holds a balance of more than \$1.6 million with expenditures against the balance of more than \$800 thousand, over the most recent 18 month period. The current cash balance is \$634 thousand.

DOH provides the following:

Brain injuries can be both traumatic and non-traumatic. Traumatic brain injuries are most commonly caused by falls, gunshot wounds, motor vehicle crashes, sports and recreation injuries, abuse, traumatic events resulting in shaken baby syndrome, and other head trauma events. Non-traumatic brain injuries can be caused by events such as strokes, seizures, electric shock, lack of oxygen to the brain, infectious diseases such as encephalitis or meningitis, and others. Both types can lead to cognitive, memory, executive, and language impairments, and behavioral and emotional changes.

(<https://www.arcaopeningdoors.org/services/new-mexico-brain-injury-resource-center/#dqrrqXGH>)

The Centers for Disease Control and Prevention, CDC, (https://www.cdc.gov/traumaticbraininjury/pdf/TBI_Report_to_Congress_Epi_and_Rehab_Snapshot-a.pdf) estimates that there are 2.2 million emergency department visits, 280,000 hospitalizations, and 50,000 deaths from traumatic brain injuries (TBI) each year. A 2017 Morbidity and Mortality Weekly Report from the Centers for Disease Control and Prevention (CDC) (<https://www.cdc.gov/traumaticbraininjury/pubs/>) authored by Alexis Peterson and Scott Kegler found that in most states the rate of fall-

related traumatic brain injury (TBI) deaths increased significantly, and the country saw a 17% increase in fall-related traumatic brain injury deaths from 2008 to 2017. The most notable increases in fall-related TBI deaths were observed among persons 75 years of age and older and persons living in the most rural counties.

According to the multiple-cause of death research file from the NMDOH Bureau of Vital Records and Health Statistics, 663 New Mexico residents died of traumatic brain injuries during 2019.

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