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HOUSE BILL 97

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

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AN ACT

RELATING TO CHILD WELFARE; CREATING A PRENATAL SUBSTANCE
EXPOSURE TASK FORCE; PROVIDING DUTIES; REQUIRING A FINAL
REPORT; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1. TEMPORARY PROVISION--PRENATAL SUBSTANCE
EXPOSURE TASK FORCE--CREATED--DUTIES--FINAL REPORT.--**

A. The "prenatal substance exposure task force" is
created. The task force consists of the following members
appointed by the secretary of health:

(1) a representative from the 2021 department
of health team responsible for evaluating the implementation of
Laws 2019, Chapter 190;

(2) an expert in pediatric and neonatal
medicine;

1 (3) a health care provider specializing in
2 addiction medicine with experience treating pregnant people;

3 (4) a member of the J. Paul Taylor early
4 childhood task force;

5 (5) a member of the social work workforce task
6 force;

7 (6) a representative of the children, youth
8 and families department;

9 (7) a representative of the department of
10 health;

11 (8) a representative of the health care
12 authority department;

13 (9) a representative of the early childhood
14 education and care department;

15 (10) an expert with experience in medicaid
16 managed care organizations;

17 (11) an expert with experience in hospital
18 management;

19 (12) an expert on the Children's Code;

20 (13) an expert from a nonprofit children's
21 advocacy organization;

22 (14) an expert in the delivery of behavioral
23 health care services;

24 (15) two or more persons with lived experience
25 related to substance use disorder during pregnancy;

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1 (16) an expert on the Indian Family Protection
2 Act; and

3 (17) other stakeholders whose expertise the
4 secretary of health deems necessary to the work of the task
5 force.

6 B. The task force shall be appointed by August 1,
7 2024 and complete its work by August 1, 2026.

8 C. The task force shall collaborate with an
9 institution of higher education to perform research that
10 supports the task force's work.

11 D. The task force shall study:

12 (1) the efficacy and outcome of the state's
13 implementation of Laws 2019, Chapter 190, including:

14 (a) the rates of the use of prenatal
15 services and support by people who used substances during
16 pregnancy before and after implementation;

17 (b) the rates of children born in New
18 Mexico affected by substance use or withdrawal symptoms
19 resulting from prenatal substance exposure or a fetal alcohol
20 spectrum disorder over the last twenty years;

21 (c) the long-term adverse health
22 outcomes of prenatal substance exposure;

23 (d) relevant infant mortality cases;

24 (e) the fiscal impact of children
25 affected by substance use or withdrawal symptoms resulting from

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1 prenatal substance exposure or a fetal alcohol spectrum
2 disorder; and

3 (f) barriers to the provision and use of
4 services and supports offered to families with plans of care;

5 (2) the planning and coordination of the
6 state's initiatives related to preventing prenatal substance
7 exposure, including:

8 (a) the provision of preventive services
9 through community health workers;

10 (b) methods for improving hospital staff
11 engagement with families to create plans of care that are
12 feasible for parents to follow; and

13 (c) the feasibility of increasing access
14 to emergency assistance for families impacted by prenatal
15 substance exposure, including housing and financial resources;

16 (3) the implementation of plans of care in
17 other states, including follow-up services;

18 (4) the impact of state policies in which
19 documented prenatal substance exposure constitutes a
20 substantiated child abuse claim, subsequent intervention and
21 outcomes;

22 (5) the feasibility of statewide prenatal
23 substance exposure screening; and

24 (6) nationwide best practices on plans of care
25 that improve outcomes for families impacted by prenatal

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1 substance exposure.

2 E. The task force shall submit its final report to
3 the legislative health and human services committee, the
4 legislative finance committee and the governor by August 1,
5 2026.

6 SECTION 2. APPROPRIATION.--Seventy-five thousand dollars
7 (\$75,000) is appropriated from the general fund to the
8 department of health for expenditure in fiscal years 2025
9 through 2027 to carry out the work of the prenatal substance
10 exposure task force. Any unexpended or unencumbered balance
11 remaining at the end of fiscal year 2027 shall revert to the
12 general fund.