

LFC Requester:

Eric Chenier

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov*(Analysis must be uploaded as a PDF)***SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*Date Prepared: 1/29/25

Check all that apply:

Bill Number: HB171Original Correction Amendment Substitute Sponsor: Rep. Jones and Rep. ThomsonShort Title: Pharmacy Custodial CareFacilities

Agency Name

and Code

HCA 630

Number:

Person Writing

Nicholas PalmisanoPhone: 505-257-8766Email Nicholas.Palmisano@**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0.00	\$0.00	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0.00	\$0.00	\$0.00	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected

Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A
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(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 171 would allow for custodial care facilities that allow medically monitored withdrawal management to have “dangerous drugs,” including controlled substances, on site for the purposes of withdrawal management.

The facility must have nursing staff on site 24-hours per day 365 days per year and have a consulting pharmacist available.

Of note, custodial care is already defined in The Pharmacy Act: F. "custodial care facility" means a nursing home, retirement care, mental care or other facility that provides extended health care.

FISCAL IMPLICATIONS

No fiscal implications for the Health Care Authority

SIGNIFICANT ISSUES

Adult Accredited Residential Treatment Centers (AARTC) are not clearly defined in “The Pharmacy Act”. AARTCs are facilities that provide residential treatment for individuals with substance use and mental health disorders. They would not necessarily be included in this bill as currently written. "Custodial care facility" means a nursing home, retirement care, mental care or other facility that provides extended health care.

The bill does not specify if nursing staff defined as a Registered Nurse (RN) or a Licensed Practical Nurse (LPN).

PERFORMANCE IMPLICATIONS

NA

ADMINISTRATIVE IMPLICATIONS

NA

No IT impact.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

NA

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

None