

<b>LFC Requester:</b>	<b>Allegra Hernandez</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 2025.02.11 *Check all that apply:*  
**Bill Number:** HB 345 Original  Correction   
 Amendment  Substitute

**Sponsor:** Gail Armstrong + Nicole Chavez **Agency Name and Code** OFRA 68000  
**Person Writing** L. Jones, S. Ortiz  
**Short Title:** Requiring a Behavioral Health Assessment prior to Foster Care for Child in FINCOS case **Email** Leslie.jones@ofra.nm.gov, Stacie.ortiz@ofra.nm.gov  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

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

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(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: Requires that within 45 days of a child from a family in need of court-ordered services being placed in foster care, the department “provide for the child to receive a child and adolescent needs and strengths trauma assessment” and refer the child for services based on the assessment.

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

Fiscal implications should be minimal, as these assessments are already required to be done for children entering foster care under an abuse or neglect petition, and most FINCOS actions actually begin as abuse or neglect actions and become FINCOS actions after further investigation.

**SIGNIFICANT ISSUES**

The title of the Act implies that a behavioral health assessment would be required prior to the child entering foster care. The language within the act makes clear that the assessment would be required within 45 days of being placed in foster care.

This statutory amendment basically codifies for children in FINCOS cases what is already required in the New Mexico Administrative Code, Section 8.10.8.17, for children in custody on an abuse or neglect petition, specifically that “to better understand the needs of the child and to make appropriate referrals to community providers[,] . . . CANS assessments shall be completed by [the Protective Services Division], within 45 days of removal from the home.”

It is important that the department be able to use the latest, evidence-based assessment tools. The inclusion of a specific assessment tool in statutory language could cause delays in the department’s ability to implement the use of improved assessment tools.

**PERFORMANCE IMPLICATIONS**

## **ADMINISTRATIVE IMPLICATIONS**

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

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The consequences of not enacting this bill are that children being placed in foster care due to a FINCOS petition might not receive the child and adolescent needs and strengths trauma assessment.

## **AMENDMENTS**