

LFC Requester: _____

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: _____ *Check all that apply:*
Bill Number: HB391 Original Correction
 Amendment Substitute

Sponsor: Rep. Jenifer Jones **Agency Name and Code** HCA 630
Short Title: Office of Child Ombud Act **Number:** _____
Person Writing Kathy Leyba
Phone: 505-795-3763 **Email** Katherine.Leyba@hca.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0.0	\$0.0	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0.0	\$0.0	\$0.0	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	\$0.0	\$0.0	\$0.0	\$0.0	N/A	N/A

(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

Enacting the Office of Child Ombud act; providing for the State Child Ombud; creating the Office of Child Ombud and establishing the powers and duties of that office; providing for the establishment of the State Child Ombud selections committee; amending and enacting sections of the NMSA 1978; making an appropriation.

FISCAL IMPLICATIONS

No direct fiscal implications for HCA. However, if the Child Ombud Office recommends policy changes affecting HCA-funded services, there could be future fiscal impacts. If additional reporting or oversight mechanisms are required for HCA-administered programs, resource allocation may need to be reassessed.

SIGNIFICANT ISSUES

The establishment of the Office of the Child Ombud may introduce new oversight functions for child welfare services, some of which overlap with HCA benefits and services, such as Medicaid-funded behavioral health services and safety-net programs. Because the HCA administers Medicaid services for children in the child welfare system, there may be future programmatic impacts if the Child Ombud recommends changes to service delivery, reimbursement policies, or provider networks.

PERFORMANCE IMPLICATIONS

The bill does not specify the scope of the Ombud's investigative or oversight authority concerning any HCA benefits or services. If HCA is required to respond to inquiries, provide data, or participate in case reviews, this could have administrative and compliance implications in future rulemaking.

ADMINISTRATIVE IMPLICATIONS

No direct impacts identified for the HCA. However, if the HCA is required to integrate reporting mechanisms with the Child Ombud's office, future IT system modifications may be needed.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

It is implied by the funding clause that the Administrative Office of the Courts will have some oversight, control, or budgetary input for this executive agency role. This is unconstitutional.

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

None