

LFC Requestor: LFC Contractor

2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House

Category: Bill

Number: 407

Type: Introduced

Date (of THIS analysis): February, 13, 2025

Sponsor(s): Thompson, E, Abeyta, MP, Gurrola, Y, Sariñana, DM, Gonzales, A

Short Title: Shaken Baby Syndrome Education

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$300	Nonrecurring	General Fund

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$164.3	\$0	\$164.3	Nonrecurring	General

This would require hiring a Health Educator at a pay band 65 at .5FTE = \$30,284 midpoint x 1.36 benefits + Office Setup \$5,522+ IT costs \$1,500 + = \$91,306. Additional costs include approximately \$73,000 for materials, travel and duplication services.

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

House Bill 407 (HB 407) would appropriate \$300,000 from the General Fund to the Department of Health to collaborate with UNM Department of Pediatrics for the purpose of updating training and educational supplies to educate new parents in birth hospitals on the dangers of shaking their infants and the prevention of shaken baby syndrome and abusive head trauma.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

According to the National Institute for Neurological Disorders and Stroke (NINDS), shaken baby syndrome (SBS) is “a type of inflicted traumatic brain injury that happens when a baby is violently shaken. A baby has weak neck muscles and a disproportionately large and heavy head. Shaking makes the fragile brain bounce back and forth inside the skull and causes bruising, swelling, and bleeding, which can lead to permanent, severe brain damage or death. The characteristic injuries of shaken baby syndrome are subdural hemorrhages (bleeding in the brain), retinal hemorrhages (bleeding in the retina), damage to the spinal cord and neck, and rib and bone fractures. These injuries may not be immediately noticeable. Symptoms of shaken baby syndrome include extreme irritability, lethargy, poor feeding, breathing problems, convulsions, vomiting, and pale or bluish skin. Shaken baby injuries usually occur in children younger than 2 years old but may be seen in children up to the age of 5.

The parent or caretaker, not knowing how vulnerable the infant’s brain is, may cause grievous injury when they become frustrated with a crying child. Once the injuries have

occurred, there is little to remedy the problems caused, which can be severe and may include blindness, severe developmental delays, or even death. ([NINDS, National Center on Shaken Baby Syndrome.](#))

Shaken baby syndrome is difficult to diagnose. As a result, the incidence is uncertain. This results from a lack of a centralized reporting system, signs of maltreatment not being present, unclear presentation, and acute head trauma not being a single isolated event but one that is part of a pattern of chronic neglect and abuse that ends with severe morbidity and/or mortality. The incidence of pediatric Abusive Head Trauma (AHT) is believed to be about 1000-15,000 infants per year in the United States and of the 2000 children who die annually from abuse, 10% of deaths are due to AHT. In the first year of life, the incidence of AHT is 35 cases per 100,000 infants. Between 5-35% of infants die from the injuries sustained from AHT. [Pediatric Abusive Head Trauma](#)

In New Mexico, from 2017-2022, 18 AHT deaths occurred to children 0-8 years old. 11% of these deaths were confirmed to be due to SBS and (11/18) 61% of these AHT deaths were to infants under the age of 1. [The National Center for Fatality Review and Prevention.](#) There were 7 cases of AHT-related emergency department visits (100% of cases reported as SBS per ICD code) and 11 AHT-related hospital admissions (73% of cases reported as SBS per ICD code) per New Mexico Vital Records.

In the United States, AHT is one of the leading causes of child maltreatment fatalities, accounting for approximately one third of these deaths. An estimate done by the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention indicates medical costs of \$48,000 over the four years following injury of each child injured through shaken baby syndrome (also called abusive head trauma) and an estimated \$2.6 million lifetime cost for a surviving AHT victim for medical care and related direct costs (2010 USD) [Lifetime Cost of Abusive Head Trauma at Ages 0–4, USA.](#) Annually, the total medical cost for AHT in the United States is estimated over \$70 million.

The Shaken Baby Syndrome Bill will affect NMDOH stakeholders and customers by providing consistent and up-to-date education on shaken baby syndrome/abusive head trauma.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No
- Is this proposal related to the NMDOH Strategic Plan? Yes No
 - Goal 1:** We expand equitable access to services for all New Mexicans
 - Goal 2:** We ensure safety in New Mexico healthcare environments
 - Goal 3:** We improve health status for all New Mexicans
 - Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

This would require hiring a Health Educator at a pay band 65 at .5FTE = \$30,284 midpoint x 1.36 benefits + Office Setup \$5,522+ IT costs \$1,500 + =\$91,306. Additional costs include approximately \$73,000 for materials, travel and duplication services.

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

Each birth hospital and birthing center would be required to designate and train personnel to show the video, hand out the printed material, demonstrate the effects of shaking using the doll (obtainable now through UNM HSC), and answer parents' questions.

The requirement in HB407 to provide training to every parent of a newborn presents significant administrative considerations. In 2023, there were 20,643 live births in New Mexico across various facilities <https://ibis.doh.nm.gov/query/result/birth/BirthCntyBirth/Count.html>. Delivering a 30-minute training session for each birth would amount to approximately 10,322 hours of instruction. It is important to note that this training would be conducted by personnel at birthing centers and hospitals rather than by DOH staff but DOH staff would be required to conduct training, develop materials, and potentially manage contractual agreements.

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

Data on shaken baby syndrome in New Mexico is limited however, from 2017-2022 of infants and children under 8 years of age, females and Hispanics were more likely to die from shaken

baby syndrome and abusive head trauma combined (New Mexico Hospital Inpatient Discharge Data and the Emergency Department Data, analyze by NMDOH).

9. HEALTH IMPACT(S)

Medical costs of \$48,000 over the four years following injury of each child injured through shaken baby syndrome and an estimated \$2.6 million lifetime cost for a surviving AHT victim for medical care and related direct costs could be saved.

Several children per year could be spared from hospitalizations related to AHT and a reduction in death of infants and young children could be prevented. Any punitive actions taken against the perpetrators could also be eliminated if AHT could be prevented.

10. ALTERNATIVES

One potential alternative could be to ask birth hospitals to train parents in the effects of shaking babies without access to the video, the printed material, or the doll.

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB407 is not implemented, there will be no appropriation of \$300,000 from the General Fund to the Department of Health and UNM Department of Pediatrics for the purpose of updating training and educational supplies to educate new parents in birth hospitals on the dangers of shaking their infants and the prevention of shaken baby syndrome and abusive head trauma.

12. AMENDMENTS

None