

LFC Requester:	
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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}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date Prepared: 2025-02-21
Bill No: HB500

Sponsor(s) Alan T. Martinez
:

Agency Name CYFD 69000
and Code
Number:

Person Writing Aaron Salas
Analysis:

Short CYFD SUBSTITUTE CARE
Title: REVIEW

Phone: 5055493411

Email: aaron.salas@cyfd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

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

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

HB 500 proposes revisions to the Citizen Substitute Care Review Act to strengthen oversight of the New Mexico Children, Youth and Families Department (CYFD) regarding substitute care (foster care, kinship care, and residential care). The bill aims to improve accountability, transparency, and grievance resolution as detailed below:

- * Establishes a Substitute Care Advisory Council that will independently review CYFD policies, practices, and individual cases.
- * The council shall hire a director who shall oversee, manage and direct processing of cases and grievances filed or reviewed pursuant to the Citizen Substitute Care Review Act
- * Creates a structured grievance process for individuals (including foster parents and children) to report CYFD issues.
- * Requires CYFD to respond to recommendations from the council within 10 business days.
- * Grants the advisory council access to CYFD case files to assess child welfare decisions.
- * Allows volunteer substitute care review boards to review individual cases.
- * Strengthens confidentiality protections for individuals filing grievances.
- * The council will now report directly to the Governor, Legislature, and the courts with recommendations on improving child welfare.
- * Requires quarterly meetings between CYFD and the council to develop solutions to systemic issues.
- * The council shall be composed of ten voting members
- * Establishes minimum qualifications and training requirements for council staff.

Changes to the SCAC proposed under this bill:

- * SCAC gains authority to conduct case-specific reviews and investigate grievances filed against CYFD.
- * CYFD must formally respond to the SCAC's recommendations within 10 business days.
- * The SCAC will now report directly to the Governor, Legislature, and courts instead of just CYFD.

- * Creates a structured grievance process where foster parents, youth, and advocates can formally file complaints about CYFD's actions.
- * Requires quarterly meetings between SCAC and CYFD to discuss systemic issues and resolve grievances.
- * The SCAC will establish clear rules on grievance acceptance, referrals, and investigations.
- * Volunteer review boards will be created to review specific CYFD case decisions and issue recommendations.
- * Requires at least 4 public members, including:
 - * Former foster youth, biological parents, adoptive parents, and foster parents who have experienced CYFD's system firsthand.
 - * The CYFD Secretary will be a non-voting member, reducing CYFD's influence over SCAC decisions.
- * The SCAC must submit annual reports directly to the Governor, Legislature, and courts.
- * Public participation is expanded, allowing families and advocates to provide feedback on child welfare policies.
- * Formalizes public outreach efforts to assess how CYFD policies affect children and families.
- * The attorney general shall advise and consult with the council, acting pursuant to the Citizen Substitute Care Review Act, and render legal services upon request of the council

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

If HB 500 is enacted, CYFD will need to process and respond to a higher volume of grievances related to child welfare decisions. More case reviews and external oversight may require additional staff time and legal support. Ensuring timely access to records for the council could strain CYFD's administrative resources. CYFD staff may require training on new oversight procedures to ensure compliance with council requests. The new reporting structure may necessitate updates to data systems and case management processes.

PERFORMANCE IMPLICATIONS

If enacted HB 500 can improve transparency and accountability in CYFD decision-making, provide a structured grievance process for families, youth, and advocates, and strengthen external oversight over the department.

ADMINISTRATIVE IMPLICATIONS

CYFD will structure administrative staff duties to work collaboratively to handle grievance reviews, case file access, and advisory council interactions. Responding to council recommendations within 10 days may be difficult given existing caseloads.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

AMENDMENTS

None.