

<b>LFC Requester:</b>	<b>Anne Hanika-Ortiz</b>
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**AGENCY BILL ANALYSIS  
2015 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)

*and*

[DFA@STATE.NM.US](mailto:DFA@STATE.NM.US)

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**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** January 21, 2015  
**Bill No:** HB 84-305

**Sponsor:** Representative Christine Trujillo    **Agency Code:** Attorney General's Office  
**Short**    Freestanding Birth Center    **Person Writing**    Sally Malavé  
**Title:**    Licensure    **Phone:** (505)827-6031    **Email** smalave@nmag.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY15</b>	<b>FY16</b>	<b>FY17</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**

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

**BILL SUMMARY**

Synopsis: House Bill 84 amends the Public Health Act, NMSA 1978, Sections 24-1-1 to -30 (1973, as amended through 2014) to include “freestanding birth center” within the definition of “health facility.” As such, a freestanding birth center may not operate unless it is licensed by the New Mexico Department of Health. Freestanding birth centers accredited by the Commission for Accreditation of Birth Centers or its successor accreditation body shall be granted a license renewal based on that accreditation. Like other health facilities in the state, freestanding birth centers would be subject to inspection, investigation and regulation by the state as a matter of public health, safety and welfare.

**FISCAL IMPLICATIONS** None to this office.

**SIGNIFICANT ISSUES** None.

**PERFORMANCE IMPLICATIONS** None to this office.

**ADMINISTRATIVE IMPLICATIONS** None to this office.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP** Duplicates Senate Bill 176

**TECHNICAL ISSUES** None.

**OTHER SUBSTANTIVE ISSUES** None.

**ALTERNATIVES** None.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL** Status quo. Freestanding birth centers would continue to operate without any state regulatory oversight.

**AMENDMENTS** None.