

LFC Requester:	Aurora Sanchez
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**AGENCY BILL ANALYSIS
2015 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

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 February 9, 2015
Bill No: SB 350--305

Sponsor: Rep. Nate Gentry
Short Public Employees in Tort
Title: Claims Act

Agency Code: Attorney General's Office
Person Writing Rick Word, AAG
Phone: 827-6029 **Email** rword@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)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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 350 seeks to amend the definition “public employee” in the Tort Claims Act (“Act”) found at NMSA 1978, Section 41-4-3(F)(7), to expressly include licensed medical, psychological or dental arts practitioners “providing services, pursuant to a contract, to a local public body that pertain to a person held in a jail or detention facility under the local public body’s jurisdiction.” “Local public body” is a defined term in the Act. See NMSA 1978, Section 41-4-3(C). Under this bill, licensed health care providers providing services under contract with a local public body in a jail or detention facility would be treated the same under the Act as health care providers providing such services under contract to the corrections department.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

None noted.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A