

LFC Requester:	Anne Hanika-Ortiz
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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	<input type="checkbox"/>	Amendment	<input checked="" type="checkbox"/>	Date	<u>February 11, 2015</u>
Correction	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Bill No:	<u>HB 84-305</u>

Sponsor:	<u>HSCAC</u>	Agency Code:	<u>Attorney General's Office</u>
Short Title:	<u>Freestanding Birth Center Licensure</u>	Person Writing	<u>Sally Malavé, AAG</u>
		Phone:	<u>(505)827-6031</u>
		Email	<u>smalave@nmag.gov</u>

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: The original 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.

HSCAC amendment removes references to the “joint commission” and the “American Osteopathic Association” and inserts in their stead “a national accrediting organization approved by the federal centers for medicare and medicaid or the department” or “an approved accrediting body”

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 The original HB 84 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.