



The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER _____

HOUSE HEALTH COMMITTEE SUBSTITUTE FOR

HOUSE BILL 122, as amended

Introduced by



POCKET VETOED

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AN ACT

RELATING TO PROFESSIONS; ENACTING THE SCOPE OF PRACTICE ACT;
PROVIDING FOR A PROCESS TO EVALUATE PROPOSED CHANGES TO THE
SCOPE OF PRACTICE OF HEALTH PROFESSIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. SHORT TITLE.--This act may be cited as the
"Scope of Practice Act".

SECTION 2. DEFINITIONS.--As used in the Scope of
Practice Act:

A. "committee" means the legislative committee or
subcommittee assigned by the New Mexico legislative council to
review and make recommendations regarding proposed changes to
professional scope of practice;

B. "health profession" means a health-related
activity or occupation conducted pursuant to Chapter 61,
Article 2, 3, 4, 5A, 6, 7A, 8, 9, 9A, 10, 10A, 11, 12A, 12B,
12C, 12D, 12F, 14A, 14B, 14D or 14E NMSA 1978;

C. "licensing board" means a licensing board of a
specific health profession regulated pursuant to Chapter 61
NMSA 1978; and

D. "scope of practice" means those practice
activities permitted for a health profession as defined in its
licensing act and rules adopted pursuant to that act.

SECTION 3. PROPOSED SCOPE OF PRACTICE CHANGE--DUTIES OF

1 LICENSING BOARD.--

2 A. A member or licensee of a licensing board
3 proposing a change in the scope of practice shall make a
4 written request to the respective licensing board detailing
5 the proposed change.

6 B. Within ten days of receipt of the request, the
7 licensing board shall notify the legislative council service
8 of the request made pursuant to Subsection A of this section.

9 C. A person seeking licensure for a health-related
10 profession not currently licensed by the state shall notify
11 the legislative council service of the request for committee
12 review of the proposed licensure.

13 SECTION 4. LEGISLATIVE REVIEW OF PROPOSED CHANGE IN
14 SCOPE OF PRACTICE.--

15 A. Pursuant to the provisions of Subsection D of
16 Section 2-3-3 NMSA 1978, the New Mexico legislative council
17 shall assign a committee to review a new scope of practice or
18 a proposed change to an existing scope of practice.

19 B. The committee shall:

20 (1) collect data, including information from
21 the proponent and all other appropriate persons, necessary to
22 review the proposed change;

23 (2) ensure appropriate public notice of the
24 committee's proceedings;

25 (3) invite testimony from persons with

1 special knowledge in the field of the proposed change;

2 (4) assess the proposal using the following
3 criteria:

4 (a) the potential harm or benefit to
5 the health, safety or welfare of consumers;

6 (b) the impact on overall health care
7 costs; and

8 (c) the impact on access to, and
9 quality of, health care in New Mexico; and

10 (5) summarize its assessment, analysis and
11 recommendations in a final report to the legislature. _____

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S/ DON TRIPP
DON TRIPP, SPEAKER
HOUSE OF REPRESENTATIVES

S/ DENISE RAMONAS
DENISE RAMONAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

S/ JOHN A. SANCHEZ
JOHN A. SANCHEZ, PRESIDENT
SENATE

S/ LENORE M. NARANJO
LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this _____ day of _____, 2015

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO