HOUSE BILL 122

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

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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. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Scope of Practice Act".

SECTION 2. [NEW MATERIAL] 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
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. [NEW MATERIAL] PROPOSED SCOPE OF PRACTICE CHANGE--DUTIES OF LICENSING BOARD.--

A. A member or licensee of a licensing board seeking a change in the scope of practice shall make a written request to the respective licensing board for a hearing concerning the proposed change.

B. Upon receipt of the request, the licensing board shall:

   (1) notify the New Mexico legislative council of the request made pursuant to Subsection A of this section;
   (2) collect data, including information from the proponent and all other appropriate persons, necessary to review the proposal;
   (3) conduct a technical assessment of the proposal, with the assistance of a technical advisory group established for that specific purpose, if necessary; and
   (4) provide its analysis, conclusions and any
recommendations to the New Mexico legislative council.

SECTION 4.  [NEW MATERIAL] LEGISLATIVE REVIEW OF PROPOSED
CHANGE IN SCOPE OF PRACTICE.--

A.  The New Mexico legislative council shall assign
a committee to review the proposed change to the scope of
practice.

B.  The committee shall:

  (1) consider the analysis, conclusions and
recommendations of the licensing board;

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

  (3) invite testimony from persons with special
knowledge in the field of the proposed change;

  (4) assess the proposal using the following
criteria:

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

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

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

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

- 3 -