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HOUSE BILL 23

**55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

INTRODUCED BY

Doreen Y. Gallegos

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE  
AND THE INDIAN AFFAIRS COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; ADDING REQUIREMENTS FOR THE  
LICENSURE OF MEDICAL SCHOOLS.

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

SECTION 1. A new section of Chapter 21 NMSA 1978 is  
enacted to read:

"[NEW MATERIAL] MEDICAL SCHOOL LICENSURE REQUIREMENTS.--

A. Prior to issuing or renewing a license to  
operate a medical school in New Mexico, the higher education  
department shall require a medical school to:

(1) obtain executed agreements from at least  
five different clinical affiliates in New Mexico that have  
inpatient bed capacity of one hundred fifty or more licensed  
beds;

(2) obtain the required number of executed

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1 agreements and faculty credentialed appointments from New  
2 Mexico-based preceptors as defined by the medical school  
3 applicant's programmatic accreditor; and

4 (3) demonstrate the medical school's ability  
5 to facilitate the creation of new graduate medical education  
6 programs within New Mexico. At a minimum, the medical school  
7 applicant shall demonstrate and provide documentation that the  
8 medical school applicant is the procuring cause for the  
9 creation of at least one first-year resident position in New  
10 Mexico for every ten students in the medical school applicant's  
11 initial approved class size. The documentation shall include  
12 evidence that the graduate medical education program submitted  
13 its application to the accreditation council for graduate  
14 medical education for approval.

15 B. The higher education department shall maintain  
16 an appeals process for medical schools in New Mexico that have  
17 had a license denied by the higher education department.

18 C. As used in this section:

19 (1) "clinical affiliate" means a hospital,  
20 physician office, ambulatory care center, surgical center or  
21 health department;

22 (2) "executed agreement" means an agreement  
23 signed by the designated medical school official and designated  
24 official of the institution providing access for medical  
25 students to clinical rotations and education;

.218196.2

1 (3) "faculty credentialed" means the process  
2 by which the medical school ensures that the physicians  
3 providing clinical education have the required education,  
4 training and licensure to practice medicine;

5 (4) "graduate medical education" means any  
6 type of formal medical education pursued after receipt of an  
7 allopathic or osteopathic physician degree. Graduate medical  
8 education includes internship, residency, subspecialty and  
9 fellowship programs, in all fields of medicine and surgery,  
10 recognized by and enabling state licensure in New Mexico;

11 (5) "medical school" means a tertiary  
12 educational institution, or part of such an institution, that  
13 teaches medicine and awards a professional degree for  
14 physicians and surgeons, including a bachelor of medicine,  
15 bachelor of surgery, doctor of medicine or doctor of  
16 osteopathic medicine;

17 (6) "preceptors" means licensed, practicing  
18 allopathic or osteopathic physicians who, under a faculty  
19 appointment with a medical school, mentor medical students and  
20 provide clinical education for core and elective clerkship  
21 rotations;

22 (7) "procuring cause" means the verification  
23 that the medical school initiated and facilitated a third-party  
24 health care organization to develop, fund and implement a new  
25 graduate medical education residency program; and

1 (8) "programmatic accreditor" means, for  
2 allopathic physicians, the liaison committee on medical  
3 education and for osteopathic physicians, the commission on  
4 osteopathic college accreditation."

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