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FISCAL IMPACT REPORT

ORIGINAL DATE 3/16/09
 SPONSOR M. Stewart LAST UPDATED 3/20/09 HM 121/aHHGAC
 SHORT TITLE Recognizing The Importance Of Oriental Medicine SB _____
 ANALYST C. Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Health Policy Commission (NMHPC)

SUMMARY

Synopsis of HHGAC Amendment

The House Health and Government Affairs Committee amendment makes a technical correction to HM 121.

Synopsis of Original Bill

House Memorial 121 (HM121) requests legislative recognition of the importance of Oriental Medicine as a vital form of health care. It gives the Board of Acupuncture and Oriental Medicine (BAOM) the sole authority to regulate scope of practice and prescriptive authority of Oriental Medicine. It also requires a review by the Regulation and Licensing Department (RLD) and BAOM of the process by which they determine restriction of established scope of practice in Oriental Medicine.

FISCAL IMPLICATIONS

NFI

SIGNIFICANT ISSUES

According to the Health Policy Commission, HM 121 takes a position on the key question of who should provide final oversight for expanded practice of diverse medical and health care systems, practices, and products that are not part of allopathic medicine.

HM121 determines that (BAOM) should have that authority.

PERFORMANCE IMPLICATIONS

RLD is required to convene a meeting with BAOM to review the process by which they would determine restriction of established scope of practice in Oriental Medicine.

CONFLICT, RELATIONSHIP

HM121 is related to HB492, SB174 and HB4. It is in conflict with HB789.

TECHNICAL ISSUES

According to the Health Policy Commission, HM121 takes a position on where authority should be for expanding scope of practice and formulary in the case of alternative and complimentary healthcare systems and fields of practice. This authority debate is before the House and Senate in four bills to amend statutory law by restricting, expanding or determining who has oversight authority for chiropractors and physicians of Oriental Medicine.

HM121 does not indicate a timeline or legislative committee to whom it should report its findings.

OTHER SUBSTANTIVE ISSUES

According to a nationwide government survey released in December 2008, approximately 38% of U.S. adults aged 18 years and over and approximately 12% of children use some form of complimentary and alternative medicine. New Mexico has a long history of recognizing the practice of Oriental Medicine.

Oriental Medicine is:

- based on a holistic approach to health;
- recognized by the Institute of Medicine as especially effective in pain control, AIDS immunity issues and in controlling the side effects of radiation and chemotherapy;
- the most mature system of healthcare in the world based in thousands of years of practice and utilized by over 25% of the world population; and
- recognized by the World Health Organization and the Institute of Medicine as a more conservative, low-cost alternative to surgical and pharmacological interventions without their risks of side effects.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

CS/mc:mt