

HOUSE HEALTH COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 122

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

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  
professional scope of practice;

B. "health profession" means a health-related  
activity or occupation conducted pursuant to Chapter 61,

.199574.2

underscoring material = new  
[bracketed material] = delete

1 Article 2, 3, 4, 5A, 6, 7A, 8, 9, 9A, 10, 10A, 11, 12A, 12B,  
2 12C, 12D, 12F, 14A, 14B, 14D or 14E NMSA 1978;

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

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

9 SECTION 3. [NEW MATERIAL] PROPOSED SCOPE OF PRACTICE  
10 CHANGE--DUTIES OF LICENSING BOARD.--

11 A. A member or licensee of a licensing board  
12 proposing a change in the scope of practice shall make a  
13 written request to the respective licensing board detailing the  
14 proposed change.

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

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

20 A. Pursuant to the provisions of Subsection D of  
21 Section 2-3-3 NMSA 1978, the New Mexico legislative council  
22 shall assign a committee to review the proposed change to the  
23 scope of practice.

24 B. The committee shall:

- 25 (1) collect data, including information from

1 the proponent and all other appropriate persons, necessary to  
2 review the proposed change;

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

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

7 (4) assess the proposal using the following  
8 criteria:

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

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

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

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