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AN ACT

RELATING TO HEALTH CARE; INCLUDING PSYCHOLOGISTS, PHYSICIAN ASSISTANTS AND PHARMACISTS IN THE DEFINITION OF "HEALTH CARE PRACTITIONER" FOR THE PURPOSE OF MAKING CERTAIN PROVISIONS IN HEALTH CARE PRACTITIONER AGREEMENTS VOID, UNENFORCEABLE AND AGAINST PUBLIC POLICY; DECLARING AN EMERGENCY.

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

SECTION 1. Section 24-1I-1 NMSA 1978 (being Laws 2015, Chapter 96, Section 1, as amended) is amended to read:

"24-1I-1. DEFINITIONS.--As used in Chapter 24, Article 1I NMSA 1978:

A. "agreement" means a written contract to which a health care practitioner is a party; and

B. "health care practitioner" means:

- (1) a dentist;
- (2) an osteopathic physician;
- (3) a physician;
- (4) a podiatrist;
- (5) a certified registered nurse anesthetist;
- (6) a certified nurse practitioner;
- (7) a certified nurse-midwife;
- (8) a psychologist;
- (9) a physician assistant; and

1 (10) a pharmacist."

2 SECTION 2. Section 24-1I-5 NMSA 1978 (being Laws 2015,
3 Chapter 96, Section 5, as amended) is amended to read:

4 "24-1I-5. APPLICABILITY.--

5 A. Chapter 24, Article 1I NMSA 1978 does not apply
6 to agreements between health care practitioners who are
7 shareholders, owners, partners or directors of a health care
8 practice.

9 B. Except as provided by Subsections C and D of
10 this section, the provisions of Chapter 24, Article 1I NMSA
11 1978 apply to agreements, or renewals or extensions of
12 agreements, executed on or after July 1, 2015.

13 C. The provisions of Subsection B of Section
14 24-1I-2 NMSA 1978 apply to agreements, or renewals or
15 extensions of agreements, executed on or after April 6, 2017.

16 D. For psychologists, physician assistants and
17 pharmacists, the provisions of Chapter 24, Article 1I NMSA
18 1978 apply to agreements, or renewals or extensions of
19 agreements, executed on or after the effective date of this
20 2023 act."

21 SECTION 3. EMERGENCY.--It is necessary for the public
22 peace, health and safety that this act take effect
23 immediately.

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