

LFC Requester:

Noah Montano

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 1/31/25 *Check all that apply:*

Bill Number: SB204 Original Correction

Amendment Substitute

**Agency Name
and Code**

Sponsor: Sen. Trujillo

Number: HCA-630

Short Title: Nutrition and Dietetics Act

Person Writing: Chris Bartsch, RN

Title: Nutrition and Dietetics Act

Phone: 505-795-3781 **Email:** christopher.bartsch@hca.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0.0	\$0.0	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0.0	\$0.0	\$0.0	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$0.0	\$0.0	\$0.0	\$0.0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Not known
Duplicates/Relates to Appropriation in the General Appropriation Act: Not known

SECTION III: NARRATIVE

BILL SUMMARY Senate Bill 204 (SB204) would replace the provisions of the current Nutrition and Dietetics Practice Act, which would be repealed effective July 1, 2028, with new provisions regulating the licensure and scope of practice of a dietitian or nutritionist. The bill would create more specificity in educational requirements and examination for both nutritionists and dietitians and creates more of a distinction regarding practice regulations between the two. Dietitians would now have to have a Master's Degree to practice within the state. SB204 would create an Advisory Board and Fund. The bill calls for the repeal of the new act effective July 1, 2032.

FISCAL IMPLICATIONS

None for the Health Care Authority (HCA)

SIGNIFICANT ISSUES

The scope of nutritionists in this bill does include ordering labs and prescribing nutritional therapy independently. This may be an expansion of scope.

There is language in this bill that refers to a specific dietitian guideline from 2024, *Revised 2024 Scope and Standards of Practice for the Registered Dietitian Nutritionist*. If this guideline is listed in statute, it will be difficult to adjust as that guideline outdates and newer research replaces that guideline. Consider removing from the bill and adding to rule or policy instead.

PERFORMANCE IMPLICATIONS

A detailed analysis will need to be done at MAD to ensure our provider enrollment for dietitians and nutritionists aligns with the new Practice Act.

ADMINISTRATIVE IMPLICATIONS

None for the HCA.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None for the HCA

OTHER SUBSTANTIVE ISSUES

None for the HCA

ALTERNATIVES

None suggested

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

None