

SENATE BILL 252

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO TELEHEALTH; AMENDING THE NEW MEXICO TELEHEALTH ACT TO ALLOW ALL LICENSED SOCIAL WORKERS TO PROVIDE TELEHEALTH SERVICES.

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

**SECTION 1.** Section 24-25-3 NMSA 1978 (being Laws 2004, Chapter 48, Section 3, as amended) is amended to read:

.228790.2AIC February 26, 2025 (10:47am)

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"24-25-3. DEFINITIONS.--As used in the New Mexico

Telehealth Act:

A. "health care provider" means a person licensed, certified or registered to provide health care to patients in New Mexico, including:

- (1) an optometrist;
- (2) a chiropractic physician;
- (3) a dentist;
- (4) a physician;
- (5) a [~~podiatrist~~] podiatric physician;
- (6) an osteopathic physician;
- (7) a physician assistant;
- (8) a certified nurse practitioner;
- (9) a physical therapist;
- (10) an occupational therapist;
- (11) a speech-language pathologist;
- (12) a doctor of oriental medicine;
- (13) a nutritionist;
- (14) a psychologist;
- (15) a certified nurse-midwife;
- (16) a clinical nurse specialist;
- (17) a registered nurse;
- (18) a dental hygienist;
- (19) a pharmacist;
- (20) a licensed [~~independent~~] social worker;
- (21) a licensed counselor;

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(22) a community health representative; [✗]  
(23) a licensed athletic trainer;  
(24) a certified peer support worker; or  
(25) any other health care professional who  
has received a medicaid provider identification number from the  
health care authority;

B. "originating site" means a place where a patient may receive health care via telehealth. An originating site may include:

- (1) a licensed inpatient center;
- (2) an ambulatory surgical or treatment center;
- (3) a skilled nursing center;
- (4) a residential treatment center;
- (5) a home health agency;
- (6) a diagnostic laboratory or imaging center;
- (7) an assisted living center;
- (8) a school-based health program;
- (9) a mobile clinic;
- (10) a mental health clinic;
- (11) a rehabilitation or other therapeutic health setting;
- (12) the patient's residence;
- (13) a federally qualified health center; or
- (14) a community health center; and

C. "telehealth" means the use of electronic

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information, imaging and communication technologies, including interactive audio, video, data communications as well as store-and-forward technologies, to provide and support health care delivery, diagnosis, consultation, treatment, transfer of medical data and education."

STBTC → SECTION 2. Section 24-25-5 NMSA 1978 (being Laws 2004, Chapter 48, Section 5, as amended) is amended to read:

"24-25-5. SCOPE OF ACT.--

A. The New Mexico Telehealth Act does not alter the scope of practice of any health care provider or authorize the delivery of health care services in a setting, or in a manner, not otherwise authorized by law.

B. Because the use of telehealth improves access to quality health care and will generally benefit the citizens of New Mexico, health insurers, health maintenance organizations, managed care organizations and third-party payors offering services to the citizens of New Mexico are encouraged to use and provide coverage for telehealth within the scope of their plans or policies. The state's medical assistance program is also encouraged to include telehealth within the scope of its plan or policy.

C. Nothing in the New Mexico Telehealth Act shall be construed to alter supervision requirements set forth by a health care provider's applicable licensing board. A health care provider shall provide telehealth services under the

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same level of supervision required for in-person  
practice."←STBTC

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