

FIFTY-SEVENTH LEGISLATURE  
FIRST SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 14, 2025

Madam Chair:

I propose to the HOUSE JUDICIARY COMMITTEE the following amendments to

HOUSE BILL 79

1. On page 1, line 12 before the period, insert:

"; AMENDING THE SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID DISPENSING PRACTICES ACT TO PROVIDE FOR STATE AND FEDERAL CRIMINAL HISTORY BACKGROUND CHECKS".

2. On page 1, line 15, strike "This" and insert in lieu thereof "Sections 1 through 16 of this".

3. On page 38, between lines 9 and 10, insert:

"SECTION 17. Section 61-14B-11 NMSA 1978 (being Laws 1996, Chapter 57, Section 11, as amended) is amended to read:

"61-14B-11. BOARD POWERS AND DUTIES--CRIMINAL HISTORY BACKGROUND CHECKS.--The board shall:

A. promulgate rules necessary to carry out the provisions of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act in accordance with the State Rules Act;

B. promulgate rules implementing continuing education requirements;

C. adopt a code of ethics that includes rules requiring audiologists and hearing aid dispensers, at the time of the initial examination for possible sale and fitting of a hearing aid if a hearing loss is determined, to inform each prospective purchaser about hearing aid options that can provide a direct connection between the hearing aid and assistive listening systems. These rules shall be in accordance with the latest standards for accessible design adopted by the United States department of justice in accordance with the federal Americans with Disabilities Act of 1990, as amended;

D. conduct hearings upon charges relating to the discipline of licensees, including the denial, suspension or revocation of a license in accordance with the Uniform Licensing Act;

E. investigate complaints against licensees by issuing investigative subpoenas prior to the issuance of a notice of contemplated action;

F. establish fees for licensure;

G. provide for the licensing and renewal of licenses of applicants; [~~and~~]

H. promulgate rules that provide for expedited licensure and temporary permits for speech-language pathologists, audiologists or hearing aid dispensers;

I. prescribe procedures, forms and the manner of submitting an applicant's full set of fingerprints for state and federal criminal history background reports that the board uses to evaluate the applicant's qualification for licensure; and

J. require an applicant, as a condition of eligibility for initial licensure, to submit a full set of fingerprints to the department of public safety to obtain state and national criminal history record information on the applicant. State and national criminal history record reports are confidential and not public records. The board shall not disseminate criminal history record information across state lines."

4. Renumber the succeeding section accordingly.

Respectfully submitted,

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Elizabeth "Liz" Thomson