

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the Legislature. LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

FISCAL IMPACT REPORT

LAST UPDATED _____
ORIGINAL DATE 2/27/2025

SPONSOR Armstrong/Dow

BILL
NUMBER House Bill 479

SHORT TITLE Use of Title of “Doctor”

ANALYST Hanika-Ortiz

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Licensing Boards		Indeterminate but minimal	Indeterminate but minimal		Recurring	Other state funds

Parentheses () indicate expenditure decreases.
*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From
New Mexico Medical Board (NMMB)
Board of Nursing (BON)
Health Care Authority (HCA)
Department of Health (DOH)

SUMMARY

Synopsis of House Bill 479

House Bill 479 (HB479) enacts a new section of the Uniform Licensing Act to prohibit non-physician health care providers from using the title of “doctor.”

A non-physician health care provider shall only use titles and abbreviations authorized by their respective licensing statutes. If they have obtained a doctoral degree, they may use the letter “D” in front of the abbreviations authorized by the relevant statute. A non-physician health care provider shall not use the title of “doctor” without clearly identifying their profession in any setting in which the provider is employed, volunteers or otherwise provides services, and whether its in-person or technology-assisted interaction. A violation is grounds for discipline, including denial, suspension, or revocation of licensure. Boards and agencies shall adopt rules to this effect.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

Licensing boards may draw down fund balances to update licensing statutes, educate licensees, and address violations. There may also be costs related to enforcement if providers feel the law infringes on free speech rights. Given that New Mexico statutes cover health and safety, scopes of practice, and health care, it's likely the term "doctor" appears a number of times, especially in Chapter 24 (Health and Safety) and Chapter 61 (Professional and Occupational Licenses).

SIGNIFICANT ISSUES

"Doctor" is most often associated with physicians, which has led to some confusion when non-medical doctorates such as chiropractors and advanced nurse practitioners have patients call them by that title in clinical settings. The New Mexico Medical Board believes restricting use of the title to medical doctors reduces confusion about who is primarily medically responsible for the patient.

The Department of Health (DOH) cites laws in other states that prohibit non-physician providers from using the title "doctor" in clinical settings. In most states, providers with a doctorate degree are allowed to use the title "doctor" as long as they immediately clarify their role to ensure patients are not misled about the providers scope of practice. This bill also includes that requirement.

DOH also notes that use of the title "doctor" is supported by the American Association of Nurse Practitioners for doctorally prepared nurses. However, the American Medical Association supports restricting use of the title "doctor" to physicians, to fight scope of practice expansions.

ADMINISTRATIVE IMPLICATIONS

Licensing Board staff would need to promulgate rules and enforce penalties. The Board of Nursing (BON) proposed a progressive discipline approach, starting with a non-discipline Board action for a first offense, for instance, before progressing to a formal, reportable discipline for a second offense. BON notes the bill's clarification of settings will avoid confusion of honorary titles.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Bills that clarify/expand scope of practice changes include:

- House Bill 178, which clarifies the scope of practice for various categories of licensed nurses regarding anesthetics, analgesics, and sedatives.
- House Bill 189, which delineate the scope of practice for level one and level two "certified advanced practice chiropractic physicians."

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Non physician health care providers will need to follow hospital and clinic rules or policies, if they exist for that institution, that regulate who can be called "doctor" in those settings.

AHO/sgs/SL2