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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Montoya/Jones</u>	<b>LAST UPDATED</b> _____
	<b>ORIGINAL DATE</b> <u>02/26/2025</u>
<b>SHORT TITLE</b> <u>Expedited Licensure for Out-Of-State Licenses</u>	<b>BILL NUMBER</b> <u>House Bill 544</u>
	<b>ANALYST</b> <u>Chilton</u>

### REVENUE\* (dollars in thousands)

Type	FY25	FY26	FY27	FY28	FY29	Recurring or Nonrecurring	Fund Affected
Licensing boards		Indeterminate but minimal gain	Indeterminate but minimal gain	Indeterminate but minimal gain	Indeterminate but minimal gain	Recurring	Other state funds

Parentheses ( ) indicate revenue decreases.

\*Amounts reflect most recent analysis of this legislation.

### 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	Indeterminate but minimal	Recurring	Other State Funds

Parentheses ( ) indicate expenditure decreases.

\*Amounts reflect most recent analysis of this legislation.

Relates to House Bills 79, 81, 82, 180, 242, 243, 412, 413, and 441, and Senate Bills 104, 105, 106, and 433.

### Sources of Information

LFC Files

#### Agency Analysis Received From

Board of Examiners for Architects (BEA)

New Mexico Medical Board (NMMB)

Board of Nursing (BON)

Regulation and Licensing Department (RLD)

Health Care Authority (HCA)

## SUMMARY

### Synopsis of House Bill 544

House Bill 544 (HB544) would make it simpler and faster for some types of healthcare professionals and other personnel licensed in other states to obtain a license to practice their trade in New Mexico if licensed elsewhere previously.

Section 1 of the bill amends Section 61-6A-8 NMSA 1978, which deals with temporary licenses for genetic counselors. It states that a genetic counselor will be granted an expedited license from the board if that person is currently licensed in another state, the District of Columbia, or another country and pays requisite fees.

The following sections of the bill make similar or identical changes for other professions, as in the table below:

Section of HB544	Section of Statute	Profession affected
2	61-6B	Polysomnographers (sleep study technologists)
3	61-6C	Physician assistants
4	61-6D	Anesthesiologist assistants
5	61-7A	Nutrition and dietetic practitioners
6	61-11	Pharmacists
7 and 8	61-12F	Naprapathic practitioners
9 and 10	61-12G	Naprapathic doctors
11	61-14E	Medical imaging and radiation therapy professionals
12	61-15	Architects
13	61-17A	Barbers and cosmetologists
14	61-27B	Private investigators
15	61-29	Real estate brokers
16	61-30	Real estate appraisers
17	61-32	Funeral service practitioners
18	61-33	Utility operators
19	61-34	Sign language interpreters

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

While it is likely that expediting application processes for out-of-state-licensed practitioners in these fields would increase revenue from application fees, it is also likely that creating and maintaining expedited licensing practices may require more staff in licensing agencies.

Regulation and Licensing Department (RLD) states, “It is likely that expanding expedited licensure will encourage out-of-state licensees to apply for licensure in New Mexico, however, measuring the impact of expedited licensure on revenue is not possible. It will be very dependent on the demand for licenses in each individual profession and economic factors that are beyond prediction.”

## SIGNIFICANT ISSUES

Responding agencies express concern that expediting licensure may endanger the public through avoidance of careful scrutiny of potential licensees. The Board of Examiners for Architects (BEA) notes that architects must design safe buildings, and that expediting licensure of architects may result in unqualified licensees. BEA also notes it considers new applicants on a monthly basis and doubts further expedition is possible. The Medical Board (NMMB) also raises concerns about the safety of the public if the application process for the professions licensed there is done more rapidly. NMMB has an expedited process in place for physicians, as mandated by a 2023 amendment to Section 61-6-15 NMSA 1978, and would, if this bill were

passed, also have naprapathic physicians, polysomnographers, physician assistants, and genetic counselors subject to new regulations increasing speed of licensure.

NMMB notes its reviews of medical professionals include observance of state-specific regulations, public safety, verification of credentials, assessment of recent practice, foreign practice issues, and rural practice issues and expresses concerns that these aspects of an applicant's past and present may be omitted in an expedited review.

The Health Care Authority (HCA) notes, "Some states may have less stringent licensing standards than New Mexico [and] the bill does not provide a mechanism for reviewing whether another state's standards are equivalent to New Mexico's. The bill removes board discretion in verifying competency beyond good standing in another jurisdiction."

The Board of Nursing expresses concern especially with regard to foreign applicants with establishing English proficiency, receiving fingerprints, and receiving payment from foreign locations.

Several of the boards within RLD (specifically Pharmacy and Funeral Services) raise concerns about expedited licensure failing to detect individuals subject to disciplinary actions in other states, endangering New Mexico residents.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB544 relates to the following bills having to do with interstate compacts for medical-related applicants:

- House Bill 79, Audiology and Speech Pathology Compact
- House Bill 81, Occupational Therapy Licensure Compact
- House Bill 82, Physical Therapy Licensure Compact
- House Bill 180, Speech Language Pathology License
- House Bill 242, Psychology Interjurisdictional Act
- House Bill 243, Interstate Medical Licensure Compact
- House Bill 412, Emergency Medical Services Licensure Compact
- House Bill 413, Physician Assistant Licensure Compact
- House Bill 441, Dental and Dental Hygienist Compact
- Senate Bill 104, Audiology and Speech Language Compact
- Senate Bill 105, Social Work Licensure Compact
- Senate Bill 106, Psychology Interjurisdictional Compact
- Senate Bill 433, Dentist and Dental Hygienist Compact

## **AMENDMENTS**

RLD suggests the following:

- The RLD respectfully requests that the effective date of this legislation be pushed out to January 1, 2026, to allow time for each board to review the requirements for licensure to determine which jurisdictions will need to be disapproved, put rules in place to address those jurisdictions, and update the RLD's NM Plus online licensing system to reflect the approved and disapproved jurisdictions.

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- Remove Section 13 as Barbers and Cosmetologists already have expedited licensure and this section appears redundant.

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