

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

SPONSOR <u>Scott</u>	LAST UPDATED _____
	ORIGINAL DATE <u>03/06/2025</u>
SHORT TITLE <u>Speech-Language Pathologist Licensure</u>	BILL NUMBER <u>Senate Bill 502</u>
	ANALYST <u>Hanika-Ortiz/Chilton</u>

REVENUE* (dollars in thousands)

Type	FY25	FY26	FY27	FY28	FY29	Recurring or Nonrecurring	Fund Affected
Fee		Indeterminate but minimal gain	Indeterminate but minimal gain	Indeterminate but minimal gain	Indeterminate but minimal gain	Recurring	Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Board Fund

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
RLD	No fiscal impact	\$300.0	No fiscal impact	\$300.0	Nonrecurring	SLP Board Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Relates to House Bill 79 and Senate Bill 104; identical to House Bill 180

Sources of Information

LFC Files

Agency Analysis Received From

Regulation and Licensing Department (RLD)

New Mexico Medical Board (NMMB)

NM Governor’s Commission on Disability

Public Education Department (PED)

SUMMARY

Synopsis of Senate Bill 502

Senate Bill 502 (SB502) amends the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act (Act) (Section 61-14B-2 NMSA 1978) to repeal the “apprentice in speech and language license” and instead create a license for a “speech-language pathology assistant (SLPA).” The bill enacts several new sections for SLPA licensure requirements that

include passing an accredited educational program and nationally recognized examination and undertaking 100 supervised clinical hours. The bill also adds requirements for supervisor oversight and guidelines for safe patient care. Further, the bill provides for expedited licensure without examination for a SLPA licensed in another jurisdiction and includes the SLPA licenses under its current fee schedule.

Finally, the bill repeals scope of practice and licensure requirements for the former apprentice in speech and language, all of which was set to be repealed on July 1, 2028.

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

The Regulation and Licensing Department (RLD) anticipates that SB502 will increase revenue from fees by providing for a new license type that is in-demand in other states. However, it is not clear how much new demand exists in New Mexico for this specific type of license; this analysis assumes any revenue gain would be minimal.

Contract fees to update the NM Plus licensing system and implement supervisory requirements are estimated at \$300 thousand in FY26. Rulemaking processes related to public hearings and the publishing of proposed rules also involve staff and resources. RLD says it can absorb these costs.

SIGNIFICANT ISSUES

SB502 provides three pathways for licensure of SLPAs: (1) by graduation, examination, and clinical supervision; (2) by active certification as an SLPA from a nationally recognized certification body and jurisprudence exam; or (3) by expedited licensure. The bill appears to have an expectation that the assistant will work toward becoming a speech-language pathologist. A supervisor would be required in a patient visit unless tasks are “repetitive, mechanical or routine.”

Public Education Department (PED) noted that:

The requirement of direct supervision of assistants by...licensed pathologists may make their employment in schools less likely, as every hire of an assistant will necessitate the hire of a full pathologist to supervise them. Currently, PED actively licenses 56 speech-language pathology apprentices. Unlike the proposed speech-language pathology assistant, the apprentice has no requirement of ‘direct contact’ with a pathologist. It is also uncertain what will happen to those who currently hold licensure as an apprentice if the bill strikes reference to their licensure...

RLD notes the new education requirement excludes the current apprentice in speech language because they did not pursue an SLPA program and instead took the educational path.

ADMINISTRATIVE IMPLICATIONS

The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices board would

promulgate rules on procedures a supervised SLPA can perform.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill relates to House Bill 79, Audiology & Speech-Language Pathology Compact.

This bill relates to Senate Bill 104, Audiology & Speech Licensure Compact.

This bill is identical to House Bill 180.

TECHNICAL ISSUES

RLD noted that SB502 appears to exempt an SLPA, who comes in by the graduation, examination and clinical supervision pathway, from passing a jurisprudence exam. Currently, all licenses must pass a jurisprudence exam. It is not clear if this was an intentional omission or an oversight.

OTHER SUBSTANTIVE ISSUES

States with a SLPA license include neighboring Arizona, Colorado, Texas, Utah, and Oklahoma.

PED noted that most public schools lack sufficient speech language pathologists.

AMENDMENTS

PED suggests amending Section 22-10A-17 of the School Personnel Act to provide for PED licensure of speech pathology assistants and fellows for direct service in public schools.

RLD suggests adding a “grandfather” clause to the bill, to allow current ASL licensees time to pursue a SLPA license. There are currently 48 such ASL licensees.

RLD also thought the new education requirement for SLPAs should allow for the current education requirement for ASLs, which would add:

Of a nationally recognized speech-language pathology assistant educational program that is accredited by a nationally recognized speech-language-hearing association or a baccalaureate degree in speech language pathology or communicative disorders or an equivalent degree or a baccalaureate degree in another field with thirty semester hours in speech-language pathology or communicative disorder.

RLD also asks that Section 61-14B- 9(B) NMSA 1978 be amended to add an SLPA to the board: “B. The board shall consist of eleven members... one member shall be a licensed ~~otolaryngologist~~ or speech-language pathology assistant, and three members shall represent the public...”.

Finally, RLD requests an extension of the effective date of the bill to January 1, 2026.