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FISCAL IMPACT REPORT

LAST UPDATED _____
ORIGINAL DATE 01/27/2025

SPONSOR Soules

BILL
NUMBER Senate Bill 53

SHORT TITLE Prescribing Psychologist Psychotropics

ANALYST Chilton

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Regulation and Licensing Department		\$40.0			Nonrecurring	General Fund
Total						

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

Sources of Information

LFC Files

Agency Analysis Received From
Health Care Authority (HCA)
New Mexico Medical Board (NMMB)
Regulation and Licensing Department (RLD)

SUMMARY

Synopsis of Senate Bill 53

Senate Bill 53 (SB53) changes the definition of “independently licensed prescribing clinician” in the Professional Psychologist Act (Section 61-9 NMSA 1978) as it was amended in the 2024 legislative session by that year’s Senate Bill 127. It would add prescribing psychologists with at least four years of independent experience prescribing psychotropic drugs to the definition, which also includes allopathic and osteopathic physicians, nurse practitioners, and clinical nurse specialists. This would, according to other subsections of the Professional Psychologist Act, permit these psychologists who qualify as “independently licensed prescribing clinicians to supervise other prescribing psychologists.

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

There is no appropriation in Senate Bill 53.

RLD estimates a \$40 thousand cost for making the changes needed in its licensing system to implement SB53. Neither the Medical Board nor the Health Care Authority anticipate any expenses involved in implementing this bill.

SIGNIFICANT ISSUES

As noted by RLD:

SB53 corrects the definition in Section 61-9-3(C) so that it agrees with the definition of “supervising clinician” in Section 61-9-3(K) so that the requirements in Section 61-9-17.1... allow for all references to independently licensed clinicians to be “prescribing psychologist who has at least four years of independent experience in prescribing psychotropic medication to treat behavioral and emotional conditions and mental illness,” in the same way that any references to “supervising clinician” also refers to “prescribing psychologist who has at least four years of independent experience in prescribing psychotropic medication to treat behavioral and emotional conditions and mental illness.”

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB53 relates to Senate Bill 117 from 2023, vetoed by the governor, which would have made more extensive changes in the Professional Psychologist Act. The bill was passed unanimously in both chambers.

SB53 is also related to Senate Bill 127 from 2024, Professional Psychologist Act Changes, which also made more extensive changes in that act. This bill was passed, signed, and chaptered.

LC/hj/hg