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FISCAL IMPACT REPORT

LAST UPDATED 3/11/2025

SPONSOR Pope ORIGINAL DATE _____

BILL

SHORT TITLE Dentist & Dental Hygienist Compact NUMBER Senate Bill 433

ANALYST Hanika-Ortiz

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	Board of Dental Healthcare Fund
Fee		Indeterminate but minimal gain	Indeterminate but minimal gain	Indeterminate but minimal gain	Indeterminate but minimal gain	Recurring	Impaired Dentists and Dental Hygienist 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 – Dental Board/Dental Hygiene Committee		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, 110, and 217 and Senate Bills 46 and 104

Sources of Information

LFC Files

Agency Analysis Received From
Department of Health (DOH)

SUMMARY

Synopsis of Senate Bill 433

Senate Bill 433 (SB433) enacts New Mexico into the Dental and Dental Hygienist Interstate Compact (compact) to facilitate the interstate practice of dentistry and dental hygiene by making it easier for licensed dentists and dental hygienists to practice across state lines with other states

that have also enacted the compact. The compact states that it protects public health and safety through each state’s authority to regulate the practice of dentistry and dental hygiene in the state.

States must enact a compact not materially different than this one, fully participate in the data system, have a system to adjudicate complaints, and implement a criminal background check requirement. The bill establishes the preparation needed for dentists and dental hygienists to practice in a remote state. If a licensee of a participating state meets the requirements for licensure, they may be issued a compact licensing privilege in a remote state. If a remote state has additional jurisprudence requirements, a compact privilege shall not be issued until that is satisfied.

The bill establishes the compact’s commission, whose membership consist of “commissioners” from participating states. The commission is responsible for overseeing the compact, which includes the reporting system to which states submit a uniform data set of licensee information. The rest of the bill addresses: rulemaking; disputes between states; effective date of the compact; and clarifies states can withdraw by repealing the compact and amendments require approval by all member states. Additionally, if any part of the compact is found legally invalid, the remaining sections remain valid and in effect; and the compact is to be interpreted broadly to fulfill its purpose. Further, once enacted, the compact takes precedence over conflicting state laws.

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

To cover the background check requirement, licensing and enforcement, states may charge a fee for a compact licensing privilege. This analysis assumes any fee revenue would be in

The commission may also collect an assessment from each participating state and impose fees on licensees of participating states when a compact privilege is granted, to cover its operations.

SIGNIFICANT ISSUES

Within the Regulation and Licensing Department, the board of Dental Health Care and the Dental Hygienist Committee oversee the practice of dentistry and dental hygiene in New Mexico.

The Department of Health (DOH) notes that if enacted, SB433 would make New Mexico the 11th state to join the compact, including neighboring Colorado. Seven states were needed to enact the compact. DOH also notes that there is pending legislation in 15 states, including neighboring Arizona and Texas.

As DOH explains:

The current statute on dentist licensure expedites board action for those with five or more years of practice in another state with no pending disciplinary action. While New Mexico does have dental hygiene education programs in the state, New Mexico does not have a dental college, so the state must attract dentists who have completed their schooling in other states or incentivize citizens who have left New Mexico for dental school to return

to the state to practice. SB433 does have the potential for increasing the number of dental providers in the state, as providers may be more likely to move to a state that is part of the compact, knowing that licensure will be streamlined and less time consuming.

ADMINISTRATIVE IMPLICATIONS

The board would be required to adopt rules in accordance with requirements to participate in the compact. In addition, procedures would need to be developed to use the interstate database.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill relates to other bills enacting model interstate licensing compacts, including:

- House Bill 79 Audiology & Speech-Language Pathology Compact,
- House Bill 81 Occupational Therapy Compact,
- House Bill 82 Physical Therapy Licensure Compact,
- House Bill 110 Interstate Teacher Mobility Compact,
- House Bill 217 Counselling Compact,
- Senate Bill 46 Interstate Medical Licensure Compact,
- Senate Bill 104 Audiology & Speech Licensure Compact, and
- Senate Bill 106 Psychology Interjurisdictional Compact.

OTHER SUBSTANTIVE ISSUES

DOH explains that rural and frontier residents in New Mexico often face more barriers when seeking dental care compared to urban residents. This is due to the lack of reliable transportation or a lack of dental providers. This bill does not provide an incentive to practice in rural areas.

AHO/hj/SL2