

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 199

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

AN ACT

RELATING TO THE NEW MEXICO HEALTH SERVICE CORPS; INCLUDING
DENTISTS AND DENTAL HYGIENISTS; CLARIFYING ELIGIBLE PRACTICE
SITES; AMENDING SECTIONS OF THE NMSA 1978; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-1D-2 NMSA 1978 (being Laws 1994,
Chapter 63, Section 2) is amended to read:

"24-1D-2. DEFINITIONS. -- As used in the Health Service
Corps Act:

A. "corps" means the New Mexico health service
corps;

B. "dental hygienist" means a person licensed to
practice dental hygiene;

C. "dentist" means a person licensed to practice

1 dentistry;

2 [B.] D. "department" means the department of
3 health;

4 [C.] E. "health professional" means a physician,
5 dentist, physician assistant, dental hygienist, nurse
6 practitioner, nurse-midwife or emergency medical
7 technician-paramedic;

8 [D.] F. "physician" means a medical doctor or
9 doctor of osteopathic medicine;

10 [E.] G. "physician assistant" means a physician
11 assistant or osteopathic physician assistant; and

12 [F.] H. "practice site" means a public health
13 clinic or [~~public or private~~] community-based nonprofit
14 primary care [clinic that is located in] center that serves a
15 state-designated [medically] eligible underserved [area or
16 that serves a high-needs] community or population and that
17 uses a sliding fee scale approved by the department. For
18 nurse-midwives and emergency medical personnel only, "practice
19 site" may also include an appropriate health care facility or
20 system that serves a state-designated eligible underserved
21 community or population and has a formal arrangement for the
22 service that is approved by the department and that assures
23 access to the entire population. "

24 Section 2. Section 24-1D-3 NMSA 1978 (being Laws 1994,
25 Chapter 63, Section 3) is amended to read:

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1 "24- 1D- 3. NEW MEXICO HEALTH SERVICE CORPS-- STAFF--
2 DEPARTMENT POWERS AND DUTIES. --

3 A. The "New Mexico health service corps" is
4 created in the department to recruit, [~~and~~] place and retain
5 health professionals in rural and other [~~medically~~]
6 underserved areas. The secretary of health may employ a
7 medical director to head the corps. The medical director may
8 employ support staff and employ or contract with health
9 professional staff. Employees are subject to the provisions
10 of the Personnel Act.

11 B. The corps has the power to:

12 (1) enter into contracts to carry out the
13 provisions of the Health Service Corps Act and sue for
14 enforcement of those contracts; and

15 (2) adopt and file, in accordance with the
16 State Rules Act, rules and regulations to carry out the
17 provisions of the Health Service Corps Act.

18 C. The corps shall:

19 (1) recruit health professionals as employees
20 or contractors of the corps;

21 (2) determine [~~physician specialties~~] health
22 professionals to be recruited, with a focus on [~~family~~
23 ~~practice physicians~~] primary care;

24 (3) establish criteria and procedures for the
25 acceptance of applications and selection of recipients for

1 commitment stipends;

2 (4) establish criteria and procedures for
3 evaluating and qualifying corps health professionals;

4 (5) determine and maintain a list of eligible
5 communities and practice sites;

6 (6) determine the need for health
7 professionals at each practice site and assign staff as needed
8 on a priority basis;

9 (7) provide support for health
10 [professionals] professional recruitment, placement and
11 retention at practice sites;

12 (8) work closely with the commission on
13 higher education and the educational assistance foundation to
14 coordinate the use of health professionals who have practice
15 obligations pursuant to the Medical Student Loan for Service
16 Act, the Osteopathic Medical Student Loan for Service Act or
17 the Nursing Student Loan for Service Act;

18 (9) work with the university of New Mexico
19 school of medicine, college of nursing, the emergency medical
20 services academy and any other entity to identify students or
21 residents who qualify for the corps; and

22 (10) establish accounting and auditing
23 procedures to account for all money paid to health
24 professionals or received from communities and practice
25 sites. "

1 Section 3. Section 24-1D-6 NMSA 1978 (being Laws 1994,
2 Chapter 63, Section 6) is amended to read:

3 "24-1D-6. EVALUATIONS PRIOR TO CORPS SERVICE--STIPEND
4 PAYBACK. --

5 A. All corps health professionals shall be
6 licensed or certified to practice in New Mexico. If the corps
7 determines that a person does not meet the corps' standards
8 for service, that person shall not serve as a corps health
9 professional.

10 B. Prior to service, the corps [~~shall~~] may
11 evaluate every student and resident to whom commitment
12 stipends have been paid. Evaluations shall continue during
13 service. Evaluations shall include grades; licensing test
14 scores; recommendations of professors, professional mentors
15 and co-workers; and other factors the corps determines by
16 regulation to be pertinent to ensuring the provision of
17 quality health care through the corps.

18 C. If a person to whom a commitment stipend has
19 been paid does not qualify for service, he shall pay back the
20 total stipend on terms and conditions set forth in the
21 contract with the corps. If a person to whom a commitment
22 stipend has been paid is serving in the corps and he is deemed
23 unsatisfactory, he shall pay back the amount of stipend
24 determined by formula to be owed pursuant to terms and
25 conditions set forth in the contract with the corps.

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