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HOUSE BILL 344

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

INTRODUCED BY

John A. Sanchez

AN ACT

RELATING TO TAXATION; PHASING IN A GROSS RECEIPTS TAX
DEDUCTION FOR ALL SERVICES PROVIDED BY MEDICAL DOCTORS AND
OSTEOPATHIC PHYSICIANS.

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

Section 1. Section 7-9-77.1 NMSA 1978 (being Laws 1998,
Chapter 96, Section 1, as amended) is amended to read:

"7-9-77.1. DEDUCTION--GROSS RECEIPTS TAX--CERTAIN
MEDICAL AND HEALTH CARE SERVICES.--

A. Receipts from payments by the United States
government or any agency thereof for provision of medical and
other health services by medical doctors and ~~[osteopaths]~~
osteopathic physicians or of medical, other health and
palliative services by a hospice to medicare beneficiaries
pursuant to the provisions of Title XVIII of the federal

underscored material = new
[bracketed material] = delete

1 Social Security Act may be deducted from gross receipts.

2 B. Receipts from services provided by medical
3 doctors and osteopathic physicians that are not otherwise
4 deductible under Subsection A of this section may be deducted
5 from gross receipts as follows:

6 (1) from July 1, 2002 through June 30, 2003,
7 twenty percent of the receipts may be deducted from gross
8 receipts;

9 (2) from July 1, 2003 through June 30, 2004,
10 forty percent of the receipts may be deducted from gross
11 receipts;

12 (3) from July 1, 2004 through June 30, 2005,
13 sixty percent of the receipts may be deducted from gross
14 receipts;

15 (4) from July 1, 2005 through June 30, 2006,
16 eighty percent of the receipts may be deducted from gross
17 receipts; and

18 (5) after June 30, 2006, all of the receipts
19 may be deducted from gross receipts.

20 [~~B.~~] C. For the purposes of this section:

21 (1) "hospice" means a for-profit entity
22 licensed and certified by the department of health as a
23 hospice; [~~and~~]

24 (2) "medical doctors [~~and osteopaths~~]" means
25 [~~persons~~] physicians licensed to practice [~~under Section~~

underscored material = new
[bracketed material] = delete

1 ~~61-6-11 or 61-10-11 NMSA 1978]~~ medicine pursuant to the

2 Medical Practice Act; and

3 (3) "osteopathic physicians" means persons
4 licensed to practice as osteopathic physicians pursuant to the
5 provisions of Chapter 61, Article 10 NMSA 1978. "

6 Section 2. EFFECTIVE DATE. -- The effective date of the
7 provisions of this act is July 1, 2002.

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