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FISCAL IMPACT REPORT

SPONSOR Wallace DATE TYPED 2/4/05 HB 309
 SHORT TITLE Athletic Trainer Licensing and Requirements SB _____
 ANALYST McSherry

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
		Indeterminate		Athletic Trainer Examenators Fund

(Parenthesis () Indicate Revenue Decreases)

Relates to

SOURCES OF INFORMATION

LFC Files
 Regulations and Licensing Department (RLD)
 For the Legislative Finance Committee

SUMMARY

Synopsis of Bill

House Bill 309 proposes to amend the athletic trainer standards, expand board duties and change licensure, examination and provisional permits requirements.

New language proposed would define the board’s five members as United States citizens who have been New Mexico Residents for three years prior to appointment. Language proposed to be removed would require the three licensed athletic trainer board members to have practiced in the state for three years. New language is proposed which states that board members must reside in different districts.

The Department Duties section is proposed to be amended so that the department no longer evaluates qualifications of applicants, but rather processes the applications. An additional duty of maintaining a register of applicants for public record is proposed.

“Board Duties” are proposed to be amended to be: “Board Powers and Duties,” and new board powers and duties are proposed as follows: the selection and administration of semiannual examinations, the establishment of passing level scores, the determination of eligibility for licensure, the setting of fees for services and licensure as authorized in the Athletic Trainer Practice

Act and the authorization of disbursements to carry out the provisions of the Act, the review of license applications and recommendation of action, and the ability to establish continuing education requirements.

The requirements for licensure are proposed to be amended so the Board, rather the Regulations and Licensing Department, may issue licenses. Language is proposed to be removed which requires individuals to complete a training program approved by the national athletic trainers association, to complete a 1500 hour clinical hour internship at an accredited college or university and to submit a letter of recommendation from an athletic trainer licensed in New Mexico or a member of the national athletic trainers association.

The “current competence in the use of automated electrical defibrillator units” is proposed as a new requirement of licensure.

HB 309 proposes that the “New Mexico Laws and Regulations Examination” should determine professional competency and that the Board would determine exam dates, deadlines and re-examination criteria. The bill provides for a up to two provisional permits that could be obtained by an applicant who meets all licensure requirements other than passing the national certification exam if the applicant provides proof of registration for the exam.

License renewal language is proposed to include language which would require proof of automated electrical defibrillator units and to provide for licensee requirements for timeliness of renewal and monetary and practicing consequences should the licensee not renew on time.

Significant Issues

It is unclear what type of district the board members must live in (judicial, legislative)?

According to the Regulations and Licensing Department (RLD), additional provisions would require the applicant to show proof of current use of an (AED). AED, the department states, is a device used in cardiac arrest, or sudden cardiac death when the heart’s electrical activity is disorganized and there is no effective pumping of blood. RLD asserts that the AED is capable of recognizing the heart’s electrical activity, and determining if an electric shock is required; if the shock is needed, a voice prompt in the AED is activated, telling the trainer to push a button to deliver the shock wave.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 309 relates to HB 306, which proposes to extend the Athletic Trainer Boards current sunset date and HB 310, which proposes new language to specify the legislature as the appropriate body for the Board’s funds.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

According to RLD, the current minimal standards including scope of practice and licensure requirement for Athletic Trainers would remain in effect and public protection would be ensured.

EM/yr