

HOUSE BILL 122

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

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AN ACT

RELATING TO PROFESSIONS; ENACTING THE SCOPE OF PRACTICE ACT;  
PROVIDING FOR A PROCESS TO EVALUATE PROPOSED CHANGES TO THE  
SCOPE OF PRACTICE OF HEALTH PROFESSIONS.

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

**SECTION 1.** [NEW MATERIAL] SHORT TITLE.--This act may be  
cited as the "Scope of Practice Act".

**SECTION 2.** [NEW MATERIAL] DEFINITIONS.--As used in the  
Scope of Practice Act:

A. "committee" means the legislative committee or  
subcommittee assigned by the New Mexico legislative council to  
review and make recommendations regarding proposed changes to  
scope of practice;

B. "health profession" means a health-related  
activity or occupation conducted pursuant to Chapter 61,

.198525.1

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1 Article 2, 3, 4, 5A, 6, 7A, 8, 9, 9A, 10, 10A, 11, 12A, 12B,  
2 12C, 12D, 12F, 14A, 14B, 14D or 14E NMSA 1978;

3 C. "licensing board" means a licensing board of a  
4 specific health profession regulated pursuant to Chapter 61  
5 NMSA 1978; and

6 D. "scope of practice" means those practice  
7 activities permitted for a health profession as defined in its  
8 licensing act and rules adopted pursuant to that act.

9 SECTION 3. [NEW MATERIAL] PROPOSED SCOPE OF PRACTICE  
10 CHANGE--DUTIES OF LICENSING BOARD.--

11 A. A member or licensee of a licensing board  
12 seeking a change in the scope of practice shall make a written  
13 request to the respective licensing board for a hearing  
14 concerning the proposed change.

15 B. Upon receipt of the request, the licensing board  
16 shall:

17 (1) notify the New Mexico legislative council  
18 of the request made pursuant to Subsection A of this section;

19 (2) collect data, including information from  
20 the proponent and all other appropriate persons, necessary to  
21 review the proposal;

22 (3) conduct a technical assessment of the  
23 proposal, with the assistance of a technical advisory group  
24 established for that specific purpose, if necessary; and

25 (4) provide its analysis, conclusions and any

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1 recommendations to the New Mexico legislative council.

2 SECTION 4. [NEW MATERIAL] LEGISLATIVE REVIEW OF PROPOSED  
3 CHANGE IN SCOPE OF PRACTICE.--

4 A. The New Mexico legislative council shall assign  
5 a committee to review the proposed change to the scope of  
6 practice.

7 B. The committee shall:

8 (1) consider the analysis, conclusions and  
9 recommendations of the licensing board;

10 (2) ensure appropriate public notice of the  
11 committee's proceedings;

12 (3) invite testimony from persons with special  
13 knowledge in the field of the proposed change;

14 (4) assess the proposal using the following  
15 criteria:

16 (a) the potential harm or benefit to the  
17 health, safety or welfare of consumers;

18 (b) the impact on overall health care  
19 costs; and

20 (c) the impact on access to, and quality  
21 of, health care in New Mexico; and

22 (5) summarize its assessment, analysis and  
23 recommendations in a final report to the legislature.

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