

HOUSE BILL 443

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

INTRODUCED BY

Yvette Herrell

AN ACT

RELATING TO LICENSURE; CREATING TEMPORARY LICENSURE FOR A
PRACTITIONER LICENSED AND IN GOOD STANDING IN ANOTHER
JURISDICTION WHO WISHES TO PROVIDE HEALTH CARE OR VETERINARY
SERVICES FOR THE UNDERSERVED OF NEW MEXICO.

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

SECTION 1. A new section of the Uniform Licensing Act is
enacted to read:

"[NEW MATERIAL] TEMPORARY LICENSURE TO PROVIDE HEALTH CARE
OR VETERINARY SERVICES FOR THE UNDERSERVED.--

A. As used in this section:

(1) "practitioner" means any physician,
physician assistant, dentist, nurse, optometrist or other
health care or veterinary practitioner, whose occupation or
profession requires licensure or certification under the laws

.198604.1

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1 of New Mexico or of another state, territory, district or
2 possession of the United States;

3 (2) "serving the underserved" means providing
4 services within a practitioner's scope of practice for an
5 underserved recipient or for a third party for the benefit of
6 an underserved recipient free of charge;

7 (3) "underserved" means a person who is
8 uninsured or underinsured or who has limited access to health
9 care or veterinary services; and

10 (4) "unrestricted license" means a license or
11 authorization issued to a practitioner from another
12 jurisdiction that is not, and has not in any manner been
13 placed, under disciplinary restriction.

14 B. Prior to serving the underserved in the state, a
15 practitioner shall obtain a temporary license from the state
16 agency, board or commission that issues an occupational or
17 professional license to a practitioner pursuant to Chapter 61,
18 Articles 2 through 34 NMSA 1978.

19 C. A state agency, board or commission that issues
20 an occupational or professional license to a practitioner
21 pursuant to Chapter 61, Articles 2 through 34 NMSA 1978 shall:

22 (1) make rules regarding the application for
23 and issuance of temporary licensure and such other rules as
24 necessary to implement the provisions of this section;

25 (2) require an applicant to submit a signed

1 application accompanied by proof that the applicant holds a
2 current unrestricted license from a corresponding state agency,
3 board or commission in another state, territory, district or
4 possession of the United States; and

5 (3) as soon as practicable after receipt of a
6 complete application for a temporary license under this
7 section:

8 (a) process the application; and
9 (b) issue a temporary license to a
10 qualified applicant.

11 D. A temporary license issued pursuant to this
12 section:

13 (1) shall be valid for a period of not more
14 than thirty days; and

15 (2) may be renewed once every two years.

16 E. A practitioner who provides services to the
17 underserved in this state shall not be liable for damages for
18 injuries or death alleged to have arisen from the provision of
19 such services, unless caused by gross negligence, wanton
20 conduct or intentional wrongdoing on the part of the
21 practitioner.

22 F. The immunity from civil liability provided in
23 Subsection E of this section does not apply if the services
24 provided to the underserved were not within the scope or
25 duration of a practitioner's temporary license or authority."

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SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2015.