

FIFTY-THIRD LEGISLATURE  
FIRST SESSION, 2017

HB 264/a

March 10, 2017

Mr. President:

Your **PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

**HOUSE BILL 264, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike House State Government, Indian and Veterans Affairs Committee Amendments 1 through 4.

2. On page 1, line 17, strike "SCHOOLS" and insert in lieu thereof "STUDENTS".

3. On page 1, line 18, strike "EMPHASIZE THE IMPORTANCE OF STUDENTS" and insert in lieu thereof "OBTAIN OR OPT OUT OF".

4. On page 32, line 22, strike the comma and the remainder of the line, strike line 23 in its entirety and strike line 24 up to the semicolon.

5. On page 33, lines 19 through 25 and page 34, lines 1 through 20, strike Section 13 in its entirety and insert in lieu thereof the following new section:

"SECTION 13. A new section of the Public Health Act is enacted to read:

"[NEW MATERIAL] DEPARTMENT OF HEALTH--NEW MEXICO BOARD OF DENTAL HEALTH CARE--ANNUAL REPORT.--By October 1, 2018 and each October 1 thereafter the department of health shall collaborate with the New Mexico board of dental health care and provide to the legislative health and human services committee and the legislative finance committee a report relating to access to dental health care. The department shall compile for the report at least the following information with New Mexico board of dental health care analysis and recommendations for legislative action relating to this information:

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A. the status of dental health care professional education loan-for-service programming;

B. the feasibility of establishing a program allowing bachelor of arts degree recipients to matriculate directly to dental school for a doctor of dental science or doctor of dental surgery degree;

C. the status of the state's medicaid program, including:

(1) simplification of administrative procedures regarding the provision of dental health care to medicaid recipients; and

(2) changes to reimbursement levels that would encourage dental health care professionals to accept more medicaid recipients as patients;

D. the number of dental health care professionals taking advantage of the rural health care practitioner tax credit; and

E. other timely issues as determined by the New Mexico board of dental health care to have an impact on access to or the delivery of dental health care in New Mexico."".

6. On page 35, lines 4 through 25 and on page 36, lines 1 through 4, strike Section 15 in its entirety and insert in lieu thereof the following new section:

"SECTION 15. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] DENTAL EXAMINATION REQUIREMENT--OPTING OUT--  
EDUCATION--OUTREACH.--

A. As of July 1, 2020, a student shall not enroll in school unless the student has provided, in accordance with protocols

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established by the department:

(1) satisfactory evidence of having undergone a dental examination that meets standards established pursuant to department rules; or

(2) a form, signed by the student's parent or guardian, that states that the parent understands the risks associated when a student does not undergo a dental examination prior to school enrollment and that the parent or guardian nevertheless opts not to obtain a dental examination for the student.

B. Department rules shall specify that students shall obtain dental examinations required pursuant to Subsection A of this section at their own expense or at the expense of any dental health coverage they have.

C. By July 1, 2019, the secretary shall:

(1) adopt and promulgate rules to prescribe the requirements for dental examination pursuant to this section; and

(2) provide extensive education statewide for parents and guardians explaining the requirements for dental examination and providing information regarding where they may receive referrals to dental health care professionals statewide who are authorized to perform dental examinations in accordance with those rules.

D. Beginning July 1, 2022, the department shall collect data regarding student compliance with the provisions of Subsection A of this section and make an annual written report of that data to the legislative finance committee and the legislative health and human services committee."",

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and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

\_\_\_\_\_  
Gerald Ortiz y Pino, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Brandt, Ortiz y Pino, Stewart

Absent: None

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