

1 SENATE BILL 68

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Sander Rue

5  
6  
7  
8  
9  
10 AN ACT

11 RELATING TO PROFESSIONAL LICENSURE; AMENDING A SECTION OF THE  
12 MEDICAL PRACTICE ACT AND ENACTING A SECTION OF THE OSTEOPATHIC  
13 MEDICINE ACT TO REQUIRE POSTING IN A PUBLICLY ACCESSIBLE MANNER  
14 INFORMATION RELATING TO CREDENTIALING, LICENSING AND DISCIPLINE  
15 OF MEDICAL AND OSTEOPATHIC PROFESSIONAL LICENSEES.

16  
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. Section 61-6-31.1 NMSA 1978 (being Laws 2003,  
19 Chapter 235, Section 6) is amended to read:

20 "61-6-31.1. BOARD OF MEDICAL EXAMINERS FUND--AUTHORIZED  
21 USE--WEBSITE PORTAL--REQUIRED INFORMATION--SEARCHABLE FACTORS--  
22 LICENSEE DISCIPLINARY HISTORY.--

23 A. Pursuant to Subsection D of Section 61-6-31 NMSA  
24 1978, by January 1, 2018, the board shall authorize  
25 expenditures from unexpended and unencumbered cash balances in

.205640.1

underscored material = new  
[bracketed material] = delete

underscoring material = new  
[bracketed material] = delete

1 the board of medical examiners fund to support an information  
2 technology project manager [~~to develop, implement and maintain~~  
3 ~~a web site portal for licensure and a central database for~~  
4 ~~credentialing of health care providers~~]. The board shall  
5 charge the information technology project manager with  
6 developing, implementing and maintaining a publicly accessible  
7 and searchable website portal for the posting of information  
8 related to licensure and licensees, including licensee profile  
9 information in accordance with Subsection B of this section and  
10 the posting of each licensee's disciplinary history in  
11 accordance with Subsection C of this section.

12 B. At a minimum, the board shall make each  
13 licensee's profile on the board's website searchable by the  
14 following factors relating to the licensee:

- 15 (1) name;
- 16 (2) specialty;
- 17 (3) location; and
- 18 (4) license number.

19 C. On a publicly accessible website, the board  
20 shall post the following information about each licensee in  
21 plain language:

- 22 (1) name, including any former names or  
23 aliases;
- 24 (2) a photograph that is less than three years  
25 old at the time of posting;

.205640.1

underscoring material = new  
[bracketed material] = delete

- 1                   (3) the type of license the licensee holds;  
2                   (4) any specialty of the licensee;  
3                   (5) criminal history;  
4                   (6) any formal disciplinary action, including  
5 a link to information relating to each action, taken by:  
6                   (a) the board, including an explanation  
7 of how any disciplinary order affects the licensee's license;  
8                   (b) a health facility; and  
9                   (c) an agency of the United States  
10 government or a foreign government; and  
11                   (7) the amount of any payment made by or on  
12 behalf of the licensee pursuant to a claim of malpractice made  
13 against the licensee."

14           SECTION 2. A new section of the Osteopathic Medicine Act  
15 is enacted to read:

16           "[NEW MATERIAL] WEBSITE PORTAL--REQUIRED INFORMATION--  
17 SEARCHABLE FACTORS--LICENSEE DISCIPLINARY HISTORY.--

18           A. By January 1, 2018, the board shall establish,  
19 implement and maintain a publicly accessible and searchable  
20 website portal for posting a central database for the  
21 credentialing of osteopathic physicians and osteopathic  
22 physician assistants and for posting information related to  
23 licensure and licensees, including licensee profile information  
24 in accordance with Subsection B of this section and each  
25 licensee's disciplinary history in accordance with Subsection C

.205640.1

1 of this section.

2 B. At a minimum, the board shall make each  
3 licensee's profile on the board of osteopathic medical  
4 examiners' website searchable by the following factors relating  
5 to the licensee:

- 6 (1) name;
- 7 (2) specialty;
- 8 (3) location; and
- 9 (4) license number.

10 C. On a publicly accessible website, the board  
11 shall post the following information about each licensee in  
12 plain language:

- 13 (1) name, including any former names or  
14 aliases;
- 15 (2) a photograph that is less than three years  
16 old at the time of posting;
- 17 (3) the type of license the licensee holds;
- 18 (4) any specialty of the licensee;
- 19 (5) criminal history;
- 20 (6) any formal disciplinary action, including  
21 a link to information relating to each action, taken by:
  - 22 (a) the board, including an explanation  
23 of how any disciplinary order affects the licensee's license;
  - 24 (b) a health facility; and
  - 25 (c) an agency of the United States

underscoring material = new  
~~[bracketed material] = delete~~

1 government or a foreign government; and

2 (7) the amount of any payment made by or on  
3 behalf of the licensee pursuant to a claim of malpractice made  
4 against the licensee."

5 - 5 -

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25