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SENATE BILL 333

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

INTRODUCED BY

Gay G. Kernan

AN ACT

RELATING TO HEALTH; AMENDING SECTIONS OF THE HEALTH
PROFESSIONAL LOAN REPAYMENT ACT AND THE NURSING PRACTICE ACT TO
PROVIDE NURSES IN ADVANCED PRACTICE WITH LOAN REPAYMENT
ASSISTANCE THROUGH NURSING LICENSE RENEWAL SURCHARGE FEES;
MAKING AN APPROPRIATION.

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

SECTION 1. Section 21-22D-3 NMSA 1978 (being Laws 1995,
Chapter 144, Section 18) is amended to read:

"21-22D-3. DEFINITIONS.--As used in the Health
Professional Loan Repayment Act:

A. [~~commission~~] "department" means the
[~~commission on~~] higher education department;

B. "health professional" means a primary care
physician, optometrist, podiatrist, physician's assistant,

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1 dentist, nurse, member of an allied health profession as
2 defined in the Allied Health Student Loan for Service Act or a
3 licensed or certified health professional as determined by the
4 [~~commission~~] department; [~~and~~]

5 C. "loan" means a grant of money to defray the
6 costs incidental to a health education, under a contract
7 between the federal government or a commercial lender and a
8 health professional, requiring either repayment of principal
9 and interest or repayment in services; and

10 D. "nurse in advanced practice" means a registered
11 nurse, including a:

12 (1) certified nurse practitioner, certified
13 registered nurse anesthetist or clinical nurse specialist,
14 authorized pursuant to the Nursing Practice Act to function
15 beyond the scope of practice of professional registered
16 nursing; or

17 (2) certified nurse-midwife licensed by the
18 department of health."

19 SECTION 2. A new section of the Health Professional Loan
20 Repayment Act is enacted to read:

21 "[NEW MATERIAL] NURSES IN ADVANCED PRACTICE--NURSING
22 EXCELLENCE PROGRAM--LICENSE RENEWAL SURCHARGE--ELIGIBILITY FOR
23 LOAN REPAYMENT ASSISTANCE FUNDED BY OTHER SOURCES.--

24 A. The department shall apply funds appropriated to
25 the department from the nursing excellence program license

.206540.1

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1 renewal surcharge established pursuant to Subsection B of
2 Section 61-3-10.5 NMSA 1978 exclusively for health professional
3 loan repayment assistance for nurses in advanced practice who
4 practice in areas that the department has designated as
5 underserved.

6 B. Eligibility for loan repayment assistance
7 pursuant to the provisions of Subsection A of this section
8 shall not render nurses in advanced practice ineligible for
9 loan repayment assistance pursuant to the Health Professional
10 Loan Repayment Act that derives from any other source of
11 funding."

12 SECTION 3. Section 61-3-10.5 NMSA 1978 (being Laws 2003,
13 Chapter 276, Section 2) is amended to read:

14 "61-3-10.5. NURSING EXCELLENCE PROGRAM--LICENSE RENEWAL
15 SURCHARGE.--

16 A. The board may establish a "nursing excellence
17 program" that provides strategies to:

18 (1) enhance recruitment and retention of
19 professional nurses, increase career and educational
20 opportunities and improve interaction with health facilities
21 administrations, the medical profession and institutions of
22 higher education; and

23 (2) fund loan repayment assistance pursuant to
24 Section 2 of this 2017 act.

25 B. The board may impose a license renewal surcharge
.206540.1

underscored material = new
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1 for each nursing license renewed in an amount not to exceed
2 twenty dollars (\$20.00) to implement and maintain the nursing
3 excellence program. The surcharge shall be used as follows:

4 (1) fifty percent of each license renewal
5 surcharge shall be deposited in the nursing excellence fund to
6 be used by the board to carry out the provisions of Paragraph
7 (1) of Subsection A of this section; and

8 (2) fifty percent of each license renewal
9 surcharge shall be appropriated to the higher education
10 department in accordance with the provisions of Section 2 of
11 this 2017 act to fund loan repayment assistance for nurses in
12 advanced practice who practice in areas of New Mexico that the
13 higher education department has designated as underserved.

14 C. The board shall transfer the portion of the
15 license renewal surcharge to be appropriated to the higher
16 education department in accordance with the provisions of
17 Paragraph (2) of Subsection B of this section by July 1, 2018
18 and by each July 1 thereafter."

19 SECTION 4. EFFECTIVE DATE.--The effective date of the
20 provisions of this act is July 1, 2017.