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FISCAL IMPACT REPORT

SPONSOR Ivey-Soto/Candelaria ORIGINAL DATE 1/23/2018
LAST UPDATED _____ HB _____
SHORT TITLE Nursing Compact Rules SB 136
ANALYST Chenier

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Board of Nursing (BON)

SUMMARY

Synopsis of Bill

Senate Bill 136 requires rules adopted by the Interstate Commission of Nurse Licensure Compact Administrators to be adopted by the board of nursing through the state rule making process and requires all agendas, minutes, reports, and rulemaking records of the commission to be filled with the board of nursing subject to the Inspection of Public Records Act.

FISCAL IMPLICATIONS

Since the Board of Nursing is already responsible for rulemaking and reporting the board would likely be able to absorb any new costs.

SIGNIFICANT ISSUES

Laws of 2018 Chapter 1 (Senate Bill 1) repealed the old nurse licensing compact and replaced it with the new "Enhanced Nurse Licensing Compact" (ENLC). This bill would add the rulemaking and reporting requirements, discussed above, to the ENLC, enacted earlier in the session.

Board of Nursing provided the following:

The commission is authorized by law to promulgate rules related to the administration of the compact and the compact has specific language that requires nurses to honor the practice laws in the state in which they are practicing, indicating that the intent of the law is to allow each state to define and regulate nursing and nursing practice. The licensure compact is already limited to licensure, so any law regarding the practice of nursing is moot.

The practice of nursing is not adequately defined. If licensure rules are interpreted as affecting the practice of nursing the amendment would create a NM violation of the compact when lawful rules are promulgated by the commission if 1. the likely delay of the NM BON to promulgate identical rules or 2. If the NM BON does not promulgate the same rules. Moreover this duplicates the rules promulgation process and may lead to public resources being wasted.

EC/sb