

More specifically,

Section 1 eliminates the requirement for the New Mexico Chiropractic Association to submit names for consideration to the governor in filling board vacancies. The bill also directs the board to elect a chair and vice-chair annually. Currently, the board elects a chair and secretary-treasurer.

Section 4 authorizes the issuance of a temporary license to a chiropractic physician licensed and practicing in another state in which a federal disaster has been declared, for four months following the disaster or for the remainder of the term of the out-of-state license, and waives these fees.

Section 5 authorizes the issuance of a temporary license to interns who are first-time applicants and supervised by a chiropractic physician licensed in New Mexico, for up to twelve months.

Section 6 authorizes the issuance of a temporary license to a chiropractic physician licensed in another state if serving as a substitute for a chiropractic physician on vacation or medical leave.

Section 8 exempts from the Act a chiropractic physician licensed in another jurisdiction or chiropractic college educator if teaching, demonstrating, or providing services for an education seminar of 10 days or less; practicing in New Mexico on a temporary basis for a performing arts or sporting event; or practicing in New Mexico for the duration of a federal disaster declaration.

There is no effective date of this bill. It is assumed that the effective date is 90 days following adjournment of the Legislature.

FISCAL IMPLICATIONS

The bill does not associate a fee with the three new temporary license types. According to RLD, the requirement for a temporary license requires an expenditure of resources to receive, process and review applications. The absence of an associated fee for the temporary licenses will result in a negative fiscal impact for RLD and the board, since resources will be required to be expended, but no income will be associated with this new work load. A majority of the practice acts for boards administratively attached to RLD charge a license fee for temporary licenses.

SIGNIFICANT ISSUES

The bill allows chiropractic physicians, educators and interns, under certain circumstances, to practice temporarily without meeting examination requirements or presumably paying fees.

PERFORMANCE IMPLICATIONS

RLD noted it is not aware of any instances where a chiropractic licensee in another jurisdiction was required to apply for New Mexico licensure in order to teach an education seminar in the state.

ADMINISTRATIVE IMPLICATIONS

RLD and the board will need to conduct a rulemaking to accommodate the changes in the bill.

OTHER SUBSTANTIVE ISSUES

The Act requires the applicant be “of good moral character” which requires a judgment call as to the seriousness of past issues, and that the person has fulfilled his or her obligations under the law.

AMENDMENTS

RLD recommends a fee be associated with the three new temporary license types.

AHO/rl/sb/rl/al