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FISCAL IMPACT REPORT

LAST UPDATED _____
ORIGINAL DATE 3/6/2023

SPONSOR Pope

BILL

SHORT TITLE Military Counselor Licensure Exemption **NUMBER** Senate Bill 415

ANALYST Hanika-Ortiz

REVENUE* (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	(Indeterminate but minimal)	(Indeterminate but minimal)	Recurring	Counseling and Therapy Practice Board Fund

Parentheses () indicate revenue decreases.

*Amounts reflect most recent analysis of this legislation.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
RLD	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal	Recurring	RLD operating

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Relates to HB249

Sources of Information

LFC Files

Responses Received From

Regulation and Licensing Board (RLD)

Department of Military Affairs (DMA)

SUMMARY

Synopsis of Senate Bill 415

Senate Bill 415 (SB415) enacts a new section of the Uniform Licensing Act to exempt from state licensing requirements, pursuant to the Psychologist Act, the Counseling and Therapy Practice Act, and the Social Work Practice Act, certain military mental health counselors.

Under the licensure waiver, the counselor's clients would only be military members, or their families, from the federal Department of Defense military, or the National Guard, or reserve.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

RLD stated it would lose the ability to license certain military members who would otherwise obtain a license from the Counseling and Therapy Practice Board. However, military service members are not required to pay a fee for licensure for the first three years they are licensed. Since most military members relocate within that timeframe, RLD believes the impact is minimal.

SIGNIFICANT ISSUES

SB415 would authorize the temporary practice of non-medical counseling for certain military members and their families, in New Mexico where the counselor is not licensed. It is not clear how it would affect the state's authority to impose discipline or adverse action on a counselor.

SB415 describes a "military and family life counselor" and "military onsource counselor" as a licensed social worker, marriage and family therapist, professional clinical counselor or psychologist who holds a master's degree in a mental health-related field, and holds an unrestricted counseling license or certification from another state, U.S. commonwealth, or territory. The bill describes a counselor's practice, which includes counseling for stress and anger management, grief and loss, the deployment cycle, parent-children relations, and relationships and relocations.

PERFORMANCE IMPLICATIONS

RLD notes the Counselor and Therapy Practice Act provides for expedited licensure for military service members and veterans, as well as their spouses and children. *See* 16.27.24.11 NMAC.

ADMINISTRATIVE IMPLICATIONS

If SB415 is enacted, relevant provisions of applicable rules would be amended or repealed.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to House Bill 249, entering New Mexico into the Psychology Interjurisdictional Compact.

QUESTIONS

Does the New Mexico Counseling and Therapy Practice Board have an alternative route to licensure for counselors who have already obtained their licenses in other states?

AHO/al/ne