

LFC Requester:**Noah Montano**

**AGENCY BILL ANALYSIS
2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1-30-2025

Bill No: HB 178

Sponsor: Reps. Doreen Y. Gallegos, Pamelya Herndon, D. Wonda Johnson, Janelle Anyanonu & Dayan Hochman-Vigil
Short Title: NURSING PRACTICE CHANGES

Agency Name and Code Number: Regulation and Licensing Department - 420

Person Writing Jen Rodriguez

Phone: 505-795-3250 **Email** Jen.rodriguez@rld.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 178 (HB178)

HB178 amends the Nursing Practice Act §§ 61-3-1 through 31 NMSA 1978 (Act) to authorize certain categories of licensed nurses to administer anesthesia and sedation. HB178 also expands the powers and duties of the Board of Nursing (Board.) It further modifies disciplinary provisions and license fees.

HB178 allows licensed certified registered nurse anesthetists to administer general anesthesia to any person. A licensed registered nurse may, upon the successful completion of required training programs, administer anesthetics or moderate sedation to any person.

HB178 defines “Anesthetics” as a substance that causes the entire or partial loss of the feeling of pain or temperature, with or without the loss of consciousness, including topical, local, or intravenous anesthetics, but excluding general anesthesia. “Sedation” is the administration of medication to produce various levels of calmness, relaxation, or sleep; includes minimum sedation, moderate sedation, deep sedation, and palliative sedation.

HB178 further authorizes the Board to designate an inactive reserve category for registered and licensed practical nurses for activation during an emergency for limited functions at no cost to the nurse, and directs the Board to:

- (1) create a retired registered nurse license category without fee for nurses who can serve on advisory and policymaking community and nonprofit organization boards;
- (2) ensure that New Mexico nursing data collected by the Board is owned by the Board;
- (3) develop and maintain a system to assist schools of nursing with coordination of pre-licensing clinical placements;
- (4) provide a nurse applying for a first-time license with a single-state license and, upon renewal, a nurse may apply for a multistate license for an additional fee; and
- (5) develop rules establishing standards for the use of artificial intelligence in nursing.

HB178 amends § 61-3-16 NMSA 1978, “Fees for Licensure as a Registered Nurse” of the Act to increase fees for: (1) licensure without examination from \$150 to \$200 maximum; and (2) initial licensure as a certified nurse practitioner, certified registered nurse anesthetist, or certified clinical nurse specialist from one hundred dollars (\$100) to two hundred dollars (\$200) maximum. The Board may waive the fee for an initial license for a registered nurse who has graduated from a New Mexico public school of nursing. For renewal of licenses, HB178 increases fee from one hundred

ten dollars (\$110) to one hundred fifty dollars (\$150) maximum for a two-year license. For a multistate license, an additional fee may not exceed fifty dollars (\$50).

HB178 amends § 61-3-28 NMSA 1978, “Disciplinary proceedings; judicial review; application of uniform licensing act; limitation” of the Act modifying the grounds for denial or revocation of a license on the basis of “intemperance.” Instead, the grounds will be on the basis of “is addicted to the use of habit-forming substances.” It further clarifies that all communications relating to disciplinary action, including complaints, are confidential and not public records. The “diversion” program will be renamed the “alternative to discipline” program.

The effective date of the legislation is June 20, 2025.

FISCAL IMPLICATIONS

The Regulation and Licensing Department does not anticipate any significant fiscal impact from the enactment of HB178.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS