

**BILL ANALYSIS AND FISCAL IMPACT REPORT**  
**Taxation and Revenue Department**

**February 24, 2025**

**Bill:** HB-513

**Sponsor:** Representative Catherine J. Cullen

**Short Title:** Organ Donor Public Assistance & Registry

**Description:** This bill amends many sections of law to provide that all license application and renewal forms and other various types of licenses provide the option for an applicant to make an anatomical gift. This includes Hunting and Fishing licenses, Concealed Handgun Carry license, Teaching license, Optometrist license, Nursing license, Chiropractic license, Dentistry license, Medical Practice license, Genetic Counseling license, Polysomnography Practice license, Physician Assistance license, Anesthesiologist Assistants license, Nutrition and Dietetics Practice License, Podiatry license, Professional Psychologist license, Counseling and Therapy Practice license, Pharmacy license, Occupational Therapy license, Respiratory Care license, Massage Therapy license, Physical Therapy license, Naprapathic Therapy license, Naturopathic Doctors license, Nursing Home license, Veterinary Practice license, Acupuncture and Oriental Medicine license, Speech-Language Pathology, Audiology and Hearing Aid Dispensing license, Athletic Trainer license, Medical Imaging and Radiation Therapy Health and Safety license, Uniform Athlete Agents license, Architects license, Cosmetologists license, Body Art Safe Practices license, Collection Agency license, Engineering and Surveying Practice license, Landscape Architects license, Interior Designers license, Home Inspector license, Private Investigations license, Public Accountant license, Real Estate Appraisers license, Social Work Practice license, Funeral Services license, Utility Operators Certification license, Signed Language Interpreting Practices license, and Lactation Care Provider license.

In addition to requiring that this designation be provided for, it also requires that the agencies involved report these designations to the Motor Vehicle Division (MVD) and that MVD maintain a statewide donor registry.

**Effective Date:** January 1, 2026

**Taxation and Revenue Department Analyst:** Htet Gonzales and Sean Bulian – Motor Vehicle Division

Estimated Revenue Impact*					R or NR**	Fund(s) Affected
FY2025	FY2026	FY2027	FY2028	FY2029		
	None	None	None	None		None

\* In thousands of dollars. Parentheses ( ) indicate a revenue loss. \*\* Recurring (R) or Non-Recurring (NR).

**Methodology for Estimated Revenue Impact:** None

**Policy Issues:** MVD cannot accurately estimate the volume of donor statements that will be submitted by other entities who require their own license applications or license renewal forms under this bill. The proposed requirement is redundant, as individuals already have the option to register as organ donors when applying for or renewing a driver’s license or identification card. The existing process ensures that all New Mexico residents are presented with this choice at the time of credential issuance.

An alternative to this proposal would be for state agencies to simply place signage directing constituents to MVD's website where constituents can already register their choice to become organ donors. Emphasizing this self-service option may have the intended effect of making more constituents aware of organ donation without creating an inefficient process of many state agencies remitting forms sporadically to MVD for manual processing.

This bill mandates that license vendors submit a copy of each application form containing a completed donor statement to MVD and requires MVD to maintain these applications. However, the legislation does not specify whether the submitted applications will include only the donor selection data necessary for entry into Tapestry, MVD's Driver Services system, or if they will contain all information required for a license application. Additionally, the bill does not establish a clear method for vendors to transmit these documents securely to MVD. If applications are mailed, this could expose applicants' personal information to risks such as theft or fraud.

Currently, MVD receives forms from 48 different entities, and this bill would significantly increase the administrative burden. MVD would be responsible for manually reviewing and entering each donor statement into Tapestry, requiring a review of existing driver's license and ID records to determine whether the donor designation needs to be updated. To handle the increased workload, MVD would need at least two additional full-time employees (FTEs) to process and verify these submissions.

Furthermore, under this bill, MVD would become the sole agency responsible for coordinating and maintaining organ donor information across all state agencies that issue licenses. This consolidation of responsibility may introduce inefficiencies and potential data integrity issues, particularly if vendor-submitted applications contain incomplete, inaccurate, or redundant donor registration information.

**Technical Issues:** Page 27, lines 21 – 22 refer to the concealed handgun license application form, but this section of the Act pertains to the Collection Agency Regulatory Act. The concealed handgun license application form language needs to be removed and replaced with language that pertains to collection agency licensing.

**Other Issues:** Most driver's license applications and renewals submitted to MVD contain personally identifiable information (PII), including social security numbers (SSNs). To process these submissions, MVD must establish a work queue where clerks manually enter data. If a matching record exists in the system, the donor designation will be linked to that record. If no match is found, the application or renewal may require manual redaction before storage.

In cases where no existing record is located, the application will only be accessible within the Organ Donor system. This system must be redesigned to ensure that redacted images are available to organ donor agents while maintaining strict data security protocols.

To minimize the handling of unnecessary PII, it is recommended that all external entities revise their forms to include a separate page exclusively for organ donor registration. This page should contain only the applicant's name, driver's license number, date of birth, and signed consent for organ donation. This approach will reduce the transmission of sensitive information to MVD, mitigating security risks and easing processing burdens.

**Administrative & Compliance Impact:** Implementation of this bill will have a high impact on ITD. The estimated time to develop, test and implement the changes is approximately 1,280 hours or 8 months and approximately \$390,499. (\$305,200 contractual resources including gross receipts tax, and staff workload costs of \$85,299).

This bill requires system changes to process paper copies of organ donor statements coming from different agencies. Application changes are required to update donor indicators. New Document Management System scanning processes will need to be developed to store organ donor statements.

All agencies would be sending paper copies of the organ donor statements. Need to scan and process data entry of the paper copies every day.

<b>Estimated Additional Operating Budget Impact*</b>				<b>R or NR**</b>	<b>Fund(s) or Agency Affected</b>
<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>3 Year Total Cost</b>		
	\$305			NR	MVD Suspense Fund- Contractual Services
	\$85			NR	MVD Suspense Fund-Staff Resources
	\$141	\$141	\$423	R	MVD Operating Budget- FTE

\* In thousands of dollars. Parentheses ( ) indicate a cost saving. \*\* Recurring (R) or Non-Recurring (NR).

**Related Bills:**