

LFC Requestor: MONTANO, Noah

2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: Senate

Category: Bill

Number: 204

Type: Introduced

Date (of THIS analysis): 01-31-25

Sponsor(s): Linda M. Trujillo

Short Title: Nutrition and Dietetics Practice Act

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$00	\$	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	N/A	N/A

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis:

Senate Bill 204 (SB204) proposes to amend and repeal section 61-7A-1 through 61-7A-15 NMSA 1978 (Nutrition and Dietetics Practices). This bill amends the scope of work for registered dietitians, nutritionists, as well as accreditations for practicing medical nutritional therapy in the State of New Mexico

Additionally, a nutritionist or dietitian with valid accreditation needs to maintain licensure with the advisory board established by the bill. SB2040 proposes a superintendent, who shall appoint a “nutrition and dietetics practice advisory board” that will be administratively attached to the department.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Section 4 of the Nutrition and Dietetics Practice Act states that individuals must hold a valid dietitian or nutritionist license to provide medical nutrition therapy. Without this license, individuals cannot advertise nutrition services to the public or use the title of dietitian or nutritionist. Licensed professionals are authorized to provide medical nutrition therapy, use legally recognized titles, and offer medical weight control services within instructional programs or private practice.

To comply with SB204, applicants would need to obtain a master’s or doctoral degree from an accredited college or university at the time of graduation and complete at least 1,000 hours of supervised practice. Licensing establishes standardized qualifications for nutrition and dietetics professionals, promoting consistency in education, training, and professional conduct.

This amendment aims to ensure that practitioners meet established education and training requirements to support medical nutrition therapy services in New Mexico.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?

Yes No

If yes, describe how.

- Is this proposal related to the NMDOH Strategic Plan? Yes No

Goal 1: We expand equitable access to services for all New Mexicans

Goal 2: We ensure safety in New Mexico healthcare environments

Goal 3: We improve health status for all New Mexicans

Goal 4: We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?

Yes No N/A

- If there is an appropriation, is it included in the LFC Budget Request?

Yes No N/A

- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No

- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

Racial and ethnic minorities are disproportionately impacted by obesity, 42.5% of American Indian/Alaskan Native individuals, 34.5% of Hispanic, all of which were above the state average of 31.7%. Individuals living in households earning under \$25,000.00 were more likely to be obese than those who made above \$25,000.00 a year.

9. HEALTH IMPACT(S)

Obesity is a chronic condition that increases the risk of hypertension, type 2 diabetes, coronary heart disease, stroke, and certain cancers, and obesity rates are often used as an indicator of the health status of a region or State. There may be a correlation between States that require licensure for dietitians and lower obesity rates. States such as Massachusetts and Montana have relatively low obesity rates and require accreditation and licensure of dietitians and nutritionists to legally practice medical nutritional therapy. [The 10 Least Obese States in America | Best States | U.S. News](#) [Nutritionist Requirements by State | Become a Licensed Nutritionist or RD](#)

Amendments to the Act may have a positive impact on public health. Licensing demonstrates that medical nutritional providers have met rigorous education and training standards and validates they possess the necessary knowledge to provide safe and effective nutritional advice. Licensing could help standardize the level of care provided by nutrition professionals, thus potentially improving the safety of consumers. Effective nutritional advice may be important in improving the health outcomes of New Mexicans. [Nutrition Laws, State Laws for Nutritionists and Dietitians](#)

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If SB204 is not enacted, there will not be changes to sections 61-7A-1 through 61-7A-15 NMSA 1978 (Nutrition and Dietetics Practices).

12. AMENDMENTS

None