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HOUSE BILL 366

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Gail Armstrong and Linda M. Trujillo

AN ACT

RELATING TO EMPLOYMENT; INCLUDING VETERINARIANS IN THE
DEFINITION OF "HEALTH CARE PRACTITIONER" FOR THE PURPOSE OF
MAKING CERTAIN PROVISIONS IN HEALTH CARE PRACTITIONER
AGREEMENTS VOID, UNENFORCEABLE AND AGAINST PUBLIC POLICY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 24A-4-1 NMSA 1978 (being Laws 2015,
Chapter 96, Section 1, as amended) is amended to read:

"24A-4-1. DEFINITIONS.--As used in [~~Chapter 24, Article~~
~~H~~] Chapter 24A, Article 4 NMSA 1978:

A. "agreement" means a written contract to which a
health care practitioner is a party; and

B. "health care practitioner" means:

- (1) a dentist;
- (2) an osteopathic physician;

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- 1 (3) a physician;
- 2 (4) a [~~podiatrist~~] podiatric physician;
- 3 (5) a certified registered nurse anesthetist;
- 4 (6) a certified nurse practitioner;
- 5 (7) a certified nurse-midwife;
- 6 (8) a psychologist;
- 7 (9) a physician assistant; [~~and~~]
- 8 (10) a pharmacist; and
- 9 (11) a veterinarian."

10 SECTION 2. Section 24A-4-5 NMSA 1978 (being Laws 2015,
11 Chapter 96, Section 5, as amended) is amended to read:

12 "24A-4-5. APPLICABILITY.--

13 A. Chapter [~~24~~] 24A, Article [~~4~~] 4 NMSA 1978 does
14 not apply to agreements between health care practitioners who
15 are shareholders, owners, partners or directors of a health
16 care practice.

17 B. Except as provided by Subsections C [~~and D~~]
18 through E of this section, the provisions of Chapter [~~24~~] 24A,
19 Article [~~4~~] 4 NMSA 1978 apply to agreements, or renewals or
20 extensions of agreements, executed on or after July 1, 2015.

21 C. The provisions of Subsection B of Section
22 [~~24-4-2~~] 24A-4-2 NMSA 1978 apply to agreements, or renewals or
23 extensions of agreements, executed on or after April 6, 2017.

24 D. For psychologists, physician assistants and
25 pharmacists, the provisions of Chapter [~~24~~] 24A, Article [~~4~~] 4

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underscoring material = new
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1 NMSA 1978 apply to agreements, or renewals or extensions of
2 agreements, executed on or after [~~the effective date of this~~
3 ~~2023 act~~] April 4, 2023.

4 E. For veterinarians, the provisions of Chapter
5 24A, Article 4 NMSA 1978 apply to agreements or renewals or
6 extensions of agreements executed on or after the effective
7 date of this 2025 act."

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