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FISCAL IMPACT REPORT

LAST UPDATED _____

SPONSOR Trujillo/Berghmans ORIGINAL DATE 2/03/25

BILL

SHORT TITLE Massage Therapy Licensure NUMBER Senate Bill 203

ANALYST Fischer

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT*

(dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	\$105.0	\$23.5		\$128.5	Nonrecurring	Massage Therapy Fund
		\$220.0	\$220.0	\$440.0	Recurring	Massage Therapy Fund
Total	\$105.0	\$243.5	\$220.0	\$568.5		

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From
 Administrative Hearings Office
 Department of Public Safety
 Regulation and Licensing Department

SUMMARY

Synopsis of Senate Bill 203

Senate Bill 203 (SB203) amends the Massage Therapy Practice Act, Sections 61-12C-1 to -28 NMSA 1978, to require licensure and oversight of massage establishments. SB203 requires the Massage Therapy Board, administratively attached to the Regulation and Licensing Department, to establish procedures to license massage therapy establishments. The bill defines that message therapy establishments, including home-based establishments, do not include most healthcare facilities.

Specifically, SB203 sets massage therapy establishment licenses at two years and empowers the board to establish minimum standards for massage therapy establishments and provide for the issuance and revocation of massage therapy establishment licenses. The bill clarifies that the board may inspect massage establishments whenever the establishment is in operation or customers are present, provided that the board provides a report of the inspection within 14 days. The bill provides requirements for posting licenses and authorizes the board to take action against therapists who practice in an unlicensed establishment or refuse inspection, violations of which are defined as misdemeanors.

The effective date of this bill is July 1, 2025.

FISCAL IMPLICATIONS

The Regulations and Licensing Department (RLD) anticipates that SB203 will increase revenue by providing a new license type. However, it was unclear to the Department how much demand for this license type exists in New Mexico.

RLD also estimated administrative costs to set up the massage therapy establishment license program at approximately \$105 thousand in nonrecurring costs in FY25 to update its NM Plus online licensing system to accommodate the addition of photographs to licenses; \$23,500 in nonrecurring costs in FY26 for a vehicle and other equipment; and \$220 thousand in recurring operating costs beginning in FY26 for personnel and contracted assistance including a new inspector and one new investigator to regulate establishments.

SIGNIFICANT ISSUES

The Regulation and Licensing Department noted that the Massage Therapy Board voted unanimously to support SB203 at a special board meeting on January 30, 2025. The board believes that establishment licenses and inspections are necessary tools to ensure accountability, to promote public health and safety, and to protect the integrity of the profession.

MF/SR/hj