

HOUSE BILL 127

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO LICENSING; REQUIRING THE NEW MEXICO MEDICAL BOARD TO GRANT EXPEDITED LICENSES TO PRACTICE MEDICINE TO QUALIFIED APPLICANTS; REQUIRING THE NEW MEXICO MEDICAL BOARD TO ESTABLISH A REGISTRY FOR OUT-OF-STATE TELEHEALTH PROVIDERS;

HHHC→**REQUIRING THE NEW MEXICO MEDICAL BOARD TO ESTABLISH A LICENSURE PROCESS FOR PHYSICIANS TRAINED IN OTHER NATIONS;**←HHHC REPEALING SECTION 61-6-11.1 NMSA 1978 (BEING LAWS 2001, CHAPTER 96, SECTION 10, AS AMENDED).

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

SECTION 1. Section 61-6-11 NMSA 1978 (being Laws 1923, Chapter 44, Section 3, as amended) is amended to read:

"61-6-11. PHYSICIAN LICENSURE.--

A. The board may consider for licensure a person who is of good moral character, is a graduate of an accredited United States or Canadian medical or osteopathic medical school, has passed an examination approved by the board and has completed two years of an approved postgraduate training program for physicians.

B. An applicant who has not completed two years of an approved postgraduate training program for physicians, but who otherwise meets all other licensing requirements, may present evidence to the board of the applicant's other professional experience for consideration by the board in lieu of the approved postgraduate training program. The board shall, in its sole discretion, determine if the professional experience is substantially equivalent to the required approved postgraduate training program for physicians.

C. A graduate of a board-approved medical or osteopathic medical school located outside the United States or Canada may be granted a license to practice medicine in New Mexico; provided that the applicant presents evidence to the board that the applicant is a person of good moral character;

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and provided further that the applicant presents satisfactory evidence to the board that the applicant has successfully passed an examination as required by the board and has successfully completed two years of postgraduate medical training in an approved postgraduate training program for physicians.

HHHC→D. An applicant who holds a license to practice medicine without supervision that is in good standing and issued in a country located outside the United States or Canada may be granted a license to practice medicine in New Mexico; provided that the applicant presents evidence to the board that the applicant is a person of good moral character and has met all other eligibility requirements for certification by the educational commission for foreign medical graduates or its successor organization. ←HHHC

HHHC→D. The board may issue a provisional license to practice medicine that is valid for a period not to exceed two years to an applicant who is a qualified international medical graduate, if the applicant satisfactorily demonstrates to the board that the applicant has:

(1) graduated from a legally chartered medical school located outside of the United States and Canada that is recognized by the world health organization or the world directory of medical schools;

(2) been licensed or otherwise authorized to practice medicine in a country other than the United States and has not been out of practice for more than two years;

(3) a valid certificate issued by the educational commission for foreign medical graduates or another credential evaluation service approved by the board; provided that the board may waive the certification requirement provided by this paragraph if the applicant demonstrates that the documentation required is unobtainable;

(4) achieved a passing score on both step one and step two clinical knowledge of the United States medical licensing examination;

(5) entered into an agreement with a health care facility for full-time employment under the supervision of a licensed physician; provided that the health care facility shall develop, assess and evaluate the physician's familiarity with standards appropriate for medical practice in New Mexico using assessment and evaluation criteria developed or approved by the board; and

(6) satisfied any other criteria that the board may require for issuance of a provisional license pursuant to this subsection.

E. A person who successfully obtains a provisional license pursuant to Subsection D of this section and practices

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under that license until the license expires shall be eligible to apply for a renewable two-year restricted license to practice medicine in an underserved community in the state.

The board may issue the restricted license to practice medicine in an underserved community if an applicant successfully demonstrates to the board that the applicant has:

(1) successfully completed all assessments and evaluations required pursuant to Subsection D of this section;

(2) achieved a passing score on step three of the United States medical licensing examination;

(3) an offer of full-time employment from a health care facility located in an underserved community in the state; and

(4) no disciplinary actions or pending investigations related to the applicant's practice under the provisional license issued pursuant to Subsection D of this section.

F. A person who successfully obtains a restricted license pursuant to Subsection E of this section and practices under that license for at least two years shall be eligible to apply for a license to practice medicine. The board may issue a license to practice medicine if an applicant:

(1) has no disciplinary actions or pending investigations related to the applicant's practice under the

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restricted license issued pursuant to Subsection E of this section; and

(2) meets the other requirements of this section. ←HHHC

HHHC→**E.** ←HHHC HHHC→**G.** ←HHHC A graduate of a medical school located outside the United States who successfully completes at least two years of an approved postgraduate training program for physicians at or affiliated with an institution located in New Mexico prior to December 30, 2007 and who meets the other requirements of this section may also be granted a license to practice medicine.

[D.] HHHC→**F.** ←HHHC HHHC→**H.** ←HHHC All applicants for licensure may be required to appear personally before the board or a designated agent for an interview.

[E.] HHHC→**G.** ←HHHC HHHC→**I.** ←HHHC An applicant for licensure by examination shall not be granted a license if the applicant has taken the examination in two or more steps and has failed to successfully pass the final step within seven years of the date that the first step was passed. An applicant for licensure who holds a medical or osteopathic doctor degree and a doctoral degree in a medically related field must successfully complete the entire examination series within ten years from the date the first step of the examination is passed. The board may, by rule, establish exceptions to the time requirements of this subsection.

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[F.] HHHC→**H.**←HHHC HHHC→**J.**←HHHC Every applicant for licensure under this section shall pay the fees required by Section 61-6-19 NMSA 1978.

[G.] HHHC→**I.**←HHHC HHHC→**K.**←HHHC The board may require fingerprints and other information necessary for a state and national criminal background check. HHHC→**u**←HHHC HHHC→**L.** As used in this section, "underserved community" means a geographic area or practice location in which it has been determined by the department of health, through the use of indices and other standards set by the department of health, that sufficient health care services are not being provided."←HHHC

SECTION 2. A new section of the Medical Practice Act, Section 61-6-11.2 NMSA 1978, is enacted to read:

"61-6-11.2. [NEW MATERIAL] TELEHEALTH REGISTRY.--

A. The board shall establish a telehealth registry in which a physician not licensed in this state may apply to become registered as a telehealth provider.

B. The board shall register a physician not licensed in this state as a telehealth provider if the physician:

(1) submits an application in a form and manner prescribed by the board;

(2) holds a full and unrestricted license to practice medicine in another state or territory of the United

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States;

(3) has not had a license to practice medicine revoked or restricted in any state or jurisdiction;

(4) does not open an office in this state or interact with patients while located within this state;

(5) designates a duly appointed registered agent for service of process in this state in a form and manner prescribed by the board;

(6) demonstrates that the physician maintains professional liability insurance that covers telehealth provided to patients in this state; and

(7) pays all applicable fees provided in Section 61-6-19 NMSA 1978.

C. The board shall publish on the board's website a list of all out-of-state physicians who are registered to provide telehealth in this state. The list shall include the registered physician's:

(1) name;

(2) completed training and education, including completion dates and any certificates or degrees obtained;

(3) out-of-state license and license number;

and

(4) duly appointed registered agent for service of process in this state, including the agent's name

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and address.

D. A physician not licensed in this state may provide health care to a patient located in this state using telehealth if the physician:

- (1) registers with the board; and
- (2) provides health care within the scope of practice for a physician under the Medical Practice Act.

E. A physician shall not be registered as a telehealth provider if the physician's license in another state or jurisdiction is subject to a pending disciplinary investigation or action or if the license has been suspended or revoked. A physician registered to provide telehealth in this state shall notify the board of any restrictions placed upon the physician's license or any disciplinary action taken or pending against the physician in any state or jurisdiction. Notification shall be provided within five business days of a restriction being placed or disciplinary action being taken.

F. The board may take disciplinary action, including suspension or revocation of registration as a telehealth provider, against an out-of-state physician registered pursuant to the provisions of this section if the physician:

- (1) fails to notify the board of any adverse actions taken against the physician's license, as required under Subsection E of this section;

(2) has restrictions placed on or disciplinary action taken against the physician's license in any state or jurisdiction;

(3) commits any act that constitutes grounds for disciplinary action under the Medical Practice Act; or

(4) violates any of the requirements of this section.

G. For the purposes of this section, "telehealth" means the use of electronic information, imaging and communication technologies, including interactive audio, video and data communications, as well as store-and-forward technologies, to provide and support health care delivery, diagnosis, consultation, treatment, transfer of medical data and education."

SECTION 3. Section 61-6-13 NMSA 1978 (being Laws 1989, Chapter 269, Section 9, as amended) is amended to read:

"61-6-13. PHYSICIAN EXPEDITED LICENSURE.--

A. The board ~~may~~ shall grant an expedited license to a qualified applicant licensed in another state or territory of the United States, the District of Columbia or a foreign country as provided in Section 61-1-31.1 NMSA 1978. The board shall process the application as soon as practicable but no later than thirty days after the ~~out-of-state medical or osteopathic physician~~ applicant files an application for expedited licensure accompanied by any required fee if the

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applicant:

(1) holds a license that is current and in good standing issued by another licensing jurisdiction [approved by the board]; and

(2) has practiced medicine or osteopathy as a licensed physician for at least three years prior to filing an application.

B. If the board issues an expedited license to a person whose prior licensing jurisdiction did not require examination, the board may require a person to pass an examination before applying for license renewal.

C. [The board by rule shall determine those states and territories of the United States and the District of Columbia from which it will not accept an applicant for expedited licensure and shall determine any foreign countries from which it will accept an applicant for expedited licensure. The board shall post the lists of disapproved and approved licensing jurisdictions on the board's website. The list of disapproved licensing jurisdictions shall include the specific reasons for disapproval. The lists shall be reviewed annually to determine if amendments to the rule are warranted] The board may require fingerprints and other information necessary for a state and national criminal background check."

SECTION 4. Section 61-6-19 NMSA 1978 (being Laws 1989, Chapter 269, Section 15, as amended) is amended to read:

"61-6-19. FEES.--

A. Except as provided in Section 61-1-34 NMSA 1978, the board shall impose the following fees:

(1) an application fee not to exceed five hundred dollars (\$500) for licensure by endorsement as provided in Section 61-6-13 NMSA 1978;

(2) an application fee not to exceed five hundred dollars (\$500) for licensure by examination as provided in Section 61-6-11 NMSA 1978;

(3) a triennial renewal fee not to exceed five hundred dollars (\$500);

(4) a fee of twenty-five dollars (\$25.00) for placing a physician's license or a physician assistant's license on inactive status;

(5) a late fee not to exceed one hundred dollars (\$100) for physicians who renew their license within forty-five days after the required renewal date;

(6) a late fee not to exceed two hundred dollars (\$200) for physicians who renew their licenses between forty-six and ninety days after the required renewal date;

(7) a reinstatement fee not to exceed seven hundred dollars (\$700) for reinstatement of a revoked, suspended or inactive license;

(8) a reasonable administrative fee for verification and duplication of license or registration and

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copying of records;

(9) a reasonable publication fee for the purchase of a publication containing the names of all practitioners licensed under the Medical Practice Act;

(10) an impaired physician fee not to exceed one hundred fifty dollars (\$150) for a three-year period;

(11) an interim license fee not to exceed one hundred dollars (\$100);

(12) a temporary license fee not to exceed one hundred dollars (\$100);

(13) a postgraduate training license fee not to exceed fifty dollars (\$50.00) annually;

(14) an application fee not to exceed one hundred fifty dollars (\$150) for physician assistants applying for initial licensure;

(15) a licensure fee not to exceed one hundred fifty dollars (\$150) for physician assistants biennial license renewal and registration of supervising or collaborating licensed physician;

(16) a late fee not to exceed fifty dollars (\$50.00) for physician assistants who renew their licensure within forty-five days after the required renewal date;

(17) a late fee not to exceed seventy-five dollars (\$75.00) for physician assistants who renew their licensure between forty-six and ninety days after the required

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renewal date;

(18) a reinstatement fee not to exceed one hundred dollars (\$100) for physician assistants who reinstate an expired license;

(19) a fee not to exceed three hundred dollars (\$300) annually for a physician supervising a clinical pharmacist;

(20) an ~~application and renewal fee for a telemedicine license~~ annual telehealth provider registration fee not to exceed ~~nine hundred dollars (\$900)~~ one hundred dollars (\$100);

(21) a reasonable administrative fee, not to exceed the current cost of application and license or renewal for a license, that may be charged for reprocessing applications and renewals that include minor but significant errors and that would otherwise be subject to investigation and possible disciplinary action; and

(22) a reasonable fee as established by the department of public safety for nationwide and statewide criminal history screening of applicants and licensees.

B. All fees are nonrefundable and shall be used by the board to carry out its duties efficiently."

SECTION 5. Section 61-6-20 NMSA 1978 (being Laws 1923, Chapter 44, Section 9, as amended) is amended to read:

"61-6-20. PRACTICING WITHOUT LICENSE--PENALTY.--

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A. [Any] A person who practices medicine or who attempts to practice medicine without first complying with the provisions of the Medical Practice Act and without being the holder of a license entitling [him] the person to practice medicine in New Mexico is guilty of a fourth degree felony.

B. [Any] A person who practices medicine across state lines or who attempts to practice medicine across state lines without first complying with the provisions of the Medical Practice Act and without being ~~[the holder of a telemedicine license]~~ registered as a telehealth provider entitling [him] the person to practice medicine across state lines is guilty of a fourth degree felony.

C. [Any] A person convicted pursuant to Subsection A or B of this section shall be sentenced under the provisions of the Criminal Sentencing Act to imprisonment for a definite period not to exceed eighteen months and, in the discretion of the sentencing court, to a fine not to exceed five thousand dollars (\$5,000), or both. Each occurrence of practicing medicine or attempting to practice medicine without complying with the Medical Practice Act shall be a separate violation."

SECTION 6. REPEAL.--Section 61-6-11.1 NMSA 1978 (being Laws 2001, Chapter 96, Section 10, as amended) is repealed.

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