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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
57th Legislature, 2nd Session, 2026

Bill Number	<u>HB34/aHHHC</u>	Sponsor	<u>Garratt/Figueroa</u>
Tracking Number	<u>.232667.1</u>	Committee Referrals	<u>HHHC/HEC; SEC/SHPAC</u>
Short Title	<u>School Nurse Licensure Provisions</u>		
Analyst	<u>Hicks</u>	Original Date	<u>1/27/2026</u>
		Last Updated	<u>2/5/2026</u>

BILL SUMMARY

Synopsis of HHHC Amendment

The House Health and Human Services Committee Amendment to HB34 (HB34/aHHHC) adds language to make clear a level 2 **or** level 3 nurse may serve as a mentor and evaluator for a level 1 nurse. The amendment also adds language that clarifies if a school district or charter school does not have a level 2 or level 3 nurse to perform the mentorship and evaluation for a level 1 school nurse, the school district or charter school must seek guidance from the Department of Health (DOH). Finally, the amendment updates language around level 3 school nurse licensure to allow registered nurses with three years of non-school experience to qualify for a level 3 license provided they meet other Public Education Department (PED) qualification requirements.

Synopsis of Original Bill

House Bill 34 (HB34) would amend the School Personnel Act (22-10A NMSA 1978) to reflect changes made to school nurse license provisions during the 2025 legislative session. HB34 would update licensure requirements for level 2 and level 3 school nurses; remove language specifying teacher contract duration; and prescribe evaluation methods of level 2 and level 3 school nurses' competency. The bill would also clarify that school nurse licensure provisions apply to both school districts and charter schools.

HB34 is accompanied by House Executive Message No. 8.

If enacted, HB34 would go into effect on July 1, 2026.

FISCAL IMPACT

HB34/aHHHC does not contain an appropriation.

SUBSTANTIVE ISSUES

Recent Changes to School Nurse Licensure and Salary Minimums. In the 2025 legislative session, lawmakers passed, and the governor signed, [Laws 2025, Chapter 150 \(HB195\)](#), which codified the three-tier licensure system for school nurses, established new criteria for licensure advancement, and tied minimum nurse salaries at each tier to minimum teacher salaries. See **Table 1: Current School Nurse Licensure Levels and Requirements**.

Table 1: Current School Nurse Licensure Levels and Requirements

	Education	Nursing License	Experience	License Length	Competency
Level 1	Associate or B.A. degree in nursing	Valid registered nurse license	Fewer than three years nursing experience	Three years, Nonrenewable	Enrollment in mentoring program and annual intensive performance evaluations
Level 2	Associate or B.A. degree in nursing	Valid registered nurse license	Has a level 1 license or at least three years of registered nursing experience	Nine years, renewable	Demonstrate department-required competency
Level 3	Holds a post-baccalaureate degree or is certified by NBCSN	Valid registered nurse license	Has been a level 2 school nurse for at least three years or meets education requirement	Nine years, renewable	Demonstrates nursing leadership competency

Note: Level 1 licenses may only be granted to applicants of at least 18 years of age. Level 1 licenses may only be renewed in “exigent circumstances defined by rule.”

Source: LESC Files

HB34/aHHHC would modify licensure requirements for level 2 and 3 licenses by:

- Allowing a registered nurse with at least three years of experience, even outside a school setting, to qualify for a level 2 license; and
- Removing requirements that level 3 nurses demonstrate nursing leadership competency, instead requiring they demonstrate essential nursing competency more generally.

Evaluation Requirements. HB34/aHHHC would strike language specifically requiring a local superintendent to verify level 2 and level 3 school nurses’ competency through a highly objective uniform statewide standard of evaluation. HB34/aHHHC appears to leave specific requirements around evaluation to PED to determine through administrative rule.

Licensure by Reciprocity. HB34/aHHHC appears to remove licensure by reciprocity as a pathway to a level 2 school nurse license and allow PED to develop administrative rule to clarify reciprocity instead. New Mexico is a [Nurse Licensure Compact state](#), allowing nurses with a multi-state license to practice in New Mexico even if it is not their primary state of residence. Because a school nurse must be a registered nurse, including specific language in statute around reciprocity for school nurse licensure is likely duplicative.

Recent PED Administrative Code Changes. On January 15, 2026, PED repealed and replaced New Mexico Administrative Code (NMAC) 6.63.2 to align department rule with Laws 2025, Chapter 150. The rule updated the language around the three types of school nurse licenses to reflect the codified three-tier system, replacing the existing associate, professional, and supervisory school nurse licensure classifications. The rule also established updated licensure requirements, competency expectations, reciprocity rules, mentorship provisions, and evaluation processes at each licensure level.

The rule required level 1 school nurses to participate in a formal mentorship program and undergo annual competency evaluations, with mentorship and evaluation responsibilities assigned to level

2 or level 3 school nurses, or an alternative mentor when higher-level nurses are not available. The rule also established pathways for advancement between licensure levels based on experience, demonstrated competencies, and qualifications, including national board certification for school nurses.

ADMINISTRATIVE IMPLICATIONS

If enacted, HB34/aHHHC would require PED to once again update [NMAC 6.63.2](#) to ensure alignment with the proposed changes to level 2 and level 3 school nurse licensure provisions, as well as changes to evaluation methods.

OTHER SIGNIFICANT ISSUES

Access to School Nurses. The New Mexico DOH reports there is an overall shortage of school nurses in New Mexico. According to DOH's [2025 annual health services report](#), 27 percent of school districts in the state did not have a school nurse in the 2023-2024 school year, while 33 percent had only one full-time or part-time school nurse.

National Board for Certification of School Nurses. The nationally certified school nurse credential is administered by the [National Board for Certification of School Nurses](#) (NBCSN). To become a nationally certified school nurse, a registered nurse must demonstrate a high level of education, clinical experience, and knowledge. To be eligible, an applicant must:

- Be a current registered nurse in the United States;
- Hold a bachelor's degree or higher in nursing from an accredited higher education institution;
- Hold a master's degree in education with a concentration in school nursing or school health services from an NBCSN approved institution;
- Document at least one thousand hours of practice as a school nurse; and
- Pass the NBCSN exam. According to NBCSN, there are currently 121 nationally certified school nurses in [New Mexico](#).

SOURCES OF INFORMATION

- LESC Files
- Public Education Department (PED)
- Regional Education Cooperatives (REC)
- Higher Education Department (HED)
- New Mexico Independent Community Colleges (NMICC)
- Board of Nursing (BON)

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