

HOUSE BILL 34

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

INTRODUCED BY

Joy Garratt

AN ACT

RELATING TO SCHOOL PERSONNEL; CHANGING LICENSURE PROVISIONS
FOR SCHOOL NURSES; CLARIFYING THAT PROVISIONS INCLUDE SCHOOL
NURSES EMPLOYED BY CHARTER SCHOOLS.

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

SECTION 1. Section 22-10A-8.2 NMSA 1978 (being Laws 2025, Chapter 150, Section 3) is amended to read:

"22-10A-8.2. SCHOOL NURSES--LEVEL ONE LICENSURE.--

A. A level one license is a provisional three-year license for beginning registered nurses who do not have at least three years of nursing experience satisfactory to the department prior to being licensed as a school nurse and that requires as a condition of licensure that the licensee undergo a formal mentorship program for at least one full school year and an annual intensive performance evaluation by a level three

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1 school nurse; provided that the department shall promulgate
2 rules for mentorship and evaluation when a school district or
3 charter school does not have a level three nurse. A registered
4 nurse with at least three years of nursing experience
5 satisfactory to the department is not required to serve as a
6 level one school nurse.

7 B. Each school district or charter school, in
8 accordance with department rules, shall provide for the
9 mentorship and evaluation of level one school nurses. At the
10 end of each year and at the end of the license period, the
11 level one school nurse shall be evaluated for competency. If
12 the school nurse fails to demonstrate satisfactory progress and
13 competence annually, the school nurse may be terminated as
14 provided in Section 22-10A-24 NMSA 1978. ~~[If the school nurse~~
15 ~~has not demonstrated satisfactory progress and competence by~~
16 ~~the end of the three-year period, the school nurse shall not be~~
17 ~~granted a level two license.]~~

18 C. Except in exigent circumstances defined by
19 department rule, a level one license shall not be extended
20 beyond the initial period.

21 D. The department shall issue a standard level one
22 license to an applicant who is at least eighteen years of age
23 who:

24 (1) holds an associate or baccalaureate degree
25 in nursing from an accredited educational institution;

(2) is licensed by the board of nursing as a registered nurse; and

(3) meets other qualifications for level one licensure, including clearance of the required background check.

E. The department shall establish competencies and qualifications for level one licensure.

F. The minimum salary for a level one school nurse is the same as that for a level one teacher [for a standard nine and one-half month contract].

G. After the issuance of a license, a license holder shall not be required to meet changed requirements to maintain the license until such time as the license expires and the license holder seeks renewal of the license."

SECTION 2. Section 22-10A-10.1 NMSA 1978 (being Laws 2025, Chapter 150, Section 4) is amended to read:

"22-10A-10.1. SCHOOL NURSES--LEVEL TWO LICENSURE.--

A. A level two license is a nine-year license granted to a [school] nurse who [is a registered nurse who holds a level one license]:

(1) has demonstrated satisfactory progress and competency as a level one school nurse; or

(2) has at least three years of registered nursing experience satisfactory to the department [and who meets the qualifications for level two licensure and who]

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1 annually demonstrates essential competency to nurse].

2 B. If a level two school nurse does not demonstrate
3 essential competency in a given school year, the school
4 district or charter school shall provide the school nurse with
5 additional professional development and mentorship during the
6 following school year. If by the end of that school year the
7 school nurse fails to demonstrate essential competency, a
8 school district or charter school may choose not to contract
9 with the school nurse.

10 [B. The department shall issue a level two license
11 to an applicant who has served successfully as a school nurse
12 at level one or who has at least three years of registered
13 nursing experience or is granted reciprocity as provided by
14 department rules. An applicant for a level two license shall:

15 (1) demonstrate essential competency required
16 by the department as verified by the local superintendent
17 through a highly objective uniform statewide standard of
18 evaluation for school nurses; and

19 (2) meet other qualifications as required by
20 the department.]

21 C. The minimum salary for a level two school nurse
22 is the same as that for a level two teacher [for a standard
23 nine and one-half month contract]."

24 SECTION 3. Section 22-10A-11.11 NMSA 1978 (being Laws
25 2025, Chapter 150, Section 5) is amended to read:

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1 "22-10A-11.11. SCHOOL NURSES--LEVEL THREE LICENSURE.--

2 A. A level three license is a nine-year license
3 granted to a school nurse who meets the qualifications for that
4 level [and who annually demonstrates nursing leadership
5 competencies]. If a level three school nurse does not
6 demonstrate essential nursing [leadership] competency in a
7 given school year, the school district or charter school shall
8 provide the school nurse with additional professional
9 development and mentorship during the following school year.
10 If by the end of that school year the school nurse fails to
11 demonstrate essential nursing [leadership] competency, a school
12 district or charter school may choose not to contract with the
13 school nurse.

14 B. The department shall grant a level three license
15 to an applicant who:

16 (1) has been a level two school nurse for at
17 least three years;

18 (2) holds a post-baccalaureate degree or is
19 certified by the national board for certification of school
20 nurses; and

21 [(3) ~~demonstrates nursing leadership~~
22 ~~competence as required by the department and verified by the~~
23 ~~local superintendent through a highly objective uniform~~
24 ~~statewide standard of evaluation; and~~

25 (4)] (3) meets other qualifications for the

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1 license as determined by the department.

2 C. The minimum salary for a level three school
3 nurse is the same as that for a level three-A teacher [for a
4 standard nine and one-half month contract]."

5 SECTION 4. EFFECTIVE DATE.--The effective date of the
6 provisions of this act is July 1, 2026.

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