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HOUSE BILL 150

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

INTRODUCED BY

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AN ACT

RELATING TO LICENSURE; AMENDING THE PHYSICIAN ASSISTANT ACT TO  
ELIMINATE CERTAIN REQUIREMENTS REGARDING THE SUPERVISION OF  
PHYSICIAN ASSISTANTS.

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

SECTION 1. Section 61-6-6 NMSA 1978 (being Laws 1973,  
Chapter 361, Section 1, as amended) is amended to read:

"61-6-6. DEFINITIONS.--As used in the Medical Practice  
Act:

A. "approved postgraduate training program for  
physicians" means a program approved by the accreditation  
council for graduate medical education, the American  
osteopathic association or other board-approved program;

B. "board" means the New Mexico medical board;

C. "collaboration" means ~~[the process by which a~~

1 ~~licensed physician and a physician assistant jointly contribute~~  
2 ~~to the health care and medical treatment of patients]~~ a  
3 physician assistant's consultation with or referral to an  
4 appropriate physician or other health care practitioner as  
5 indicated by the physician assistant's education, competencies  
6 and experience, the patient's condition and the standard of  
7 care; provided that:

8 (1) each collaborator performs actions that  
9 the collaborator is licensed or otherwise authorized to  
10 perform; and

11 (2) collaboration shall not be construed to  
12 require the physical presence of ~~[the]~~ a licensed physician at  
13 the time and place services are rendered;

14 D. "licensed physician" means a medical or  
15 osteopathic physician licensed under the Medical Practice Act  
16 to practice medicine in New Mexico;

17 E. "licensee" or "health care practitioner" means a  
18 medical physician, osteopathic physician, physician assistant,  
19 polysomnographic technologist, anesthesiologist assistant,  
20 naturopathic doctor, podiatric physician or naprapath licensed  
21 by the board to practice in New Mexico;

22 F. "medical college or school in good standing" for  
23 medical physicians means a board-approved medical college or  
24 school that has as high a standard as that required by the  
25 association of American medical colleges and the council on

1 medical education of the American medical association; and for  
2 osteopathic physicians means a college of osteopathic medicine  
3 accredited by the commission of osteopathic college  
4 accreditation;

5 G. "medical student" means a student enrolled in a  
6 board-approved medical college or school in good standing;

7 H. "physician assistant" means a health care  
8 practitioner who is licensed by the board to practice as a  
9 physician assistant and who provides services to patients ~~[with~~  
10 ~~the supervision of or in collaboration with a licensed~~  
11 ~~physician as set forth in rules promulgated by the board]~~;

12 I. "resident" means a graduate of a medical college  
13 or school in good standing who is in training in a board-  
14 approved and accredited residency training program in a  
15 hospital or facility affiliated with an approved hospital and  
16 who has been appointed to the position of "resident" or  
17 "fellow" for the purpose of postgraduate medical training;

18 J. "the practice of medicine" consists of:

19 (1) advertising, holding out to the public or  
20 representing in any manner that one is authorized to practice  
21 medicine or to practice health care that is under the authority  
22 of the board in this state;

23 (2) offering or undertaking to administer,  
24 dispense or prescribe a drug or medicine for the use of another  
25 person, except as authorized pursuant to a professional or

1 occupational licensing statute set forth in Chapter 61 NMSA  
2 1978;

3 (3) offering or undertaking to give or  
4 administer, dispense or prescribe a drug or medicine for the  
5 use of another person, except as directed by a licensed  
6 physician;

7 (4) offering or undertaking to perform an  
8 operation or procedure upon a person;

9 (5) offering or undertaking to diagnose,  
10 correct or treat in any manner or by any means, methods,  
11 devices or instrumentalities any disease, illness, pain, wound,  
12 fracture, infirmity, deformity, defect or abnormal physical or  
13 mental condition of a person;

14 (6) offering medical peer review, utilization  
15 review or diagnostic service of any kind that directly  
16 influences patient care, except as authorized pursuant to a  
17 professional or occupational licensing statute set forth in  
18 Chapter 61 NMSA 1978; or

19 (7) acting as the representative or agent of a  
20 person in doing any of the things listed in this subsection;

21 K. "the practice of medicine across state lines"  
22 means:

23 (1) the rendering of a written or otherwise  
24 documented medical opinion concerning diagnosis or treatment of  
25 a patient within this state by a physician located outside this

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1 state as a result of transmission of individual patient data by  
2 electronic, telephonic or other means from within this state to  
3 the physician or the physician's agent; or

4 (2) the rendering of treatment to a patient  
5 within this state by a physician located outside this state as  
6 a result of transmission of individual patient data by  
7 electronic, telephonic or other means from within this state to  
8 the physician or the physician's agent;

9 L. "sexual contact" means touching the primary  
10 genital area, groin, anus, buttocks or breast of a patient or  
11 allowing a patient to touch another's primary genital area,  
12 groin, anus, buttocks or breast in a manner that is commonly  
13 recognized as outside the scope of acceptable medical or health  
14 care practice;

15 M. "sexual penetration" means sexual intercourse,  
16 cunnilingus, fellatio or anal intercourse, whether or not there  
17 is any emission, or introducing any object into the genital or  
18 anal openings of another in a manner that is commonly  
19 recognized as outside the scope of acceptable medical or health  
20 care practice; and

21 N. "United States" means the fifty states, its  
22 territories and possessions and the District of Columbia."

23 SECTION 2. Section 61-6-19 NMSA 1978 (being Laws 1989,  
24 Chapter 269, Section 15, as amended) is amended to read:

25 "61-6-19. FEES.--

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

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

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

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

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

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

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

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

23                   (8) a reasonable administrative fee for  
24 verification and duplication of license or registration and  
25 copying of records;

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

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

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

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

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

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

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

19 (16) a late fee not to exceed fifty dollars  
20 (\$50.00) for physician assistants who renew their licensure  
21 within forty-five days after the required renewal date;

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

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

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

7 (20) an application and renewal fee for a  
8 telemedicine license not to exceed nine hundred dollars (\$900);

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

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

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

20 SECTION 3. Section 61-6C-3 NMSA 1978 (being Laws 2022,  
21 Chapter 39, Section 31) is amended to read:

22 "61-6C-3. LICENSURE AS A PHYSICIAN ASSISTANT--SCOPE OF  
23 PRACTICE--BIENNIAL REGISTRATION OF SUPERVISION--LICENSE  
24 RENEWAL--FEES.--

25 A. The board may license as a physician assistant a



1 qualified person who has graduated from a physician assistant  
2 program accredited by the national accrediting body as  
3 established by rule of the board in accordance with the State  
4 Rules Act and has passed a physician assistant national  
5 certifying examination as established by rule. The board may  
6 also license as a physician assistant a person who passed the  
7 physician assistant national certifying examination  
8 administered by the national commission on certification of  
9 physician assistants prior to 1986.

10 B. A person shall not perform, attempt to perform  
11 or hold the person's own self out as a physician assistant  
12 without first applying for and obtaining a license from the  
13 board.

14 C. Physician assistants may prescribe, administer,  
15 dispense and distribute dangerous drugs other than controlled  
16 substances in Schedule I of the Controlled Substances Act  
17 pursuant to rules adopted by the board after consultation with  
18 the board of pharmacy if the prescribing, administering,  
19 dispensing and distributing are done with the supervision of a  
20 licensed physician or in collaboration with ~~[a licensed~~  
21 ~~physician]~~ an appropriate health care practitioner. The  
22 distribution process shall comply with state laws concerning  
23 prescription packaging, labeling and recordkeeping  
24 requirements.

25 D. A physician assistant shall perform only the

1 acts and duties that are within the physician assistant's scope  
2 of practice.

3 E. An applicant for licensure as a physician  
4 assistant shall complete application forms supplied by the  
5 board and shall pay a licensing fee as provided in Section  
6 61-6-19 NMSA 1978.

7 F. A physician assistant shall biennially submit  
8 proof of current certification by the national commission on  
9 certification of physician assistants or another certifying  
10 agency designated by the board. ~~[and shall renew the license~~  
11 ~~and registration of supervision of the physician assistant with~~  
12 ~~the board]~~

13 G. A physician assistant with fewer than four  
14 thousand hours of clinical practice experience in a particular  
15 practice specialty shall not practice medicine in that practice  
16 specialty until the physician assistant has established a  
17 supervising or collaborating relationship with a licensed  
18 physician or other appropriate health care practitioner in  
19 accordance with rules promulgated by the board.

20 H. Each biennial renewal of licensure shall be  
21 accompanied by a fee as provided in Section 61-6-19 NMSA 1978."

22 SECTION 4. Section 61-6C-6 NMSA 1978 (being Laws 2017,  
23 Chapter 103, Section 6) is amended to read:

24 "61-6C-6. PHYSICIAN ASSISTANT COLLABORATION WITH LICENSED  
25 PHYSICIANS--SCOPE OF PRACTICE--MEDICAL MALPRACTICE INSURANCE.--

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1           A. A physician assistant may independently perform  
2 the acts and duties that are within the physician assistant's  
3 scope of practice [~~in collaboration with a licensed physician~~]  
4 if the physician assistant has:

5                   (1) completed [~~three years~~] four thousand  
6 hours of clinical practice as a physician assistant with the  
7 supervision of a licensed physician; and

8                   (2) complied with rules adopted by the board  
9 establishing qualifications for when a physician assistant may  
10 engage in the practice of medicine in collaboration with [~~a~~  
11 ~~licensed physician~~] an appropriate health care practitioner.

12           B. A physician assistant shall practice at the  
13 standard of care within the scope of the physician assistant's  
14 education, experience and competence.

15           [~~B.~~] C. A physician assistant practicing in  
16 collaboration with [~~a licensed physician~~] an appropriate health  
17 care practitioner shall, at a minimum, maintain a policy of  
18 malpractice liability insurance that will qualify the physician  
19 assistant under the provisions of the Medical Malpractice Act."

20           SECTION 5. Section 61-6C-8 NMSA 1978 (being Laws 1973,  
21 Chapter 361, Section 6, as amended) is amended to read:

22           "61-6C-8. SUPERVISING OR COLLABORATING LICENSED  
23 PHYSICIAN--RESPONSIBILITY--SUPERVISING PHYSICIAN ASSISTANT  
24 RESPONSIBILITY.--

25           A. As a condition of licensure, all physician

1 assistants practicing in New Mexico who have fewer than four  
2 thousand hours of clinical experience as a physician assistant  
3 shall be supervised by a licensed physician or other  
4 appropriate health care practitioner. The physician assistant  
5 shall inform the board of the name of the licensed physician or  
6 other appropriate health care practitioner under whose  
7 supervision the physician assistant will practice. All  
8 supervising physicians or health care practitioners shall be  
9 licensed pursuant to the Medical Practice Act and approved by  
10 the board.

11 B. Every licensed physician supervising a physician  
12 assistant shall be individually responsible and liable for the  
13 performance of the acts and omissions delegated to the  
14 physician assistant the physician supervises. Nothing in this  
15 section shall be construed to relieve the physician assistant  
16 of responsibility and liability for the acts and omissions of  
17 the physician assistant ~~[rules promulgated in accordance with~~  
18 ~~the State Rules Act pursuant to the Physician Assistant Act~~  
19 ~~shall.~~

20 ~~(1) require that a physician assistant whose~~  
21 ~~practice is a specialty care, as defined by the board, shall be~~  
22 ~~supervised by a licensed physician in accordance with~~  
23 ~~requirements established by the board; and~~

24 ~~(2) allow a physician assistant whose practice~~  
25 ~~is primary care, as defined by the board, to collaborate with a~~

1 ~~licensed physician in accordance with requirements established~~  
2 ~~by the board for different practice settings.~~

3 ~~G. A physician assistant shall be supervised by or~~  
4 ~~collaborate with a licensed physician in accordance with rules~~  
5 ~~adopted by the board]."~~

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