

HOUSE BILL 277

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

## INTRODUCED BY

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## AN ACT

RELATING TO LICENSURE; CREATING THE SCOPE OF PRACTICE ADVISORY COMMITTEE TO RECEIVE AND EVALUATE PROPOSED CHANGES TO HEALTH CARE PROFESSION SCOPE OF PRACTICE; MAKING AN APPROPRIATION.

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

**SECTION 1. [NEW MATERIAL] SHORT TITLE.--**This act may be cited as the "Scope of Practice Act".

**SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the  
Scope of Practice Act:**

A. "committee" means the scope of practice advisory committee:

B. "health care profession" means a health-related occupation conducted pursuant to the provisions of Chapter 61, Articles 2, 3, 3B, 4, 5A, 6, 6A, 6B, 6C, 6D, 7A, 8, 9, 9A, 11, 12A, 12B, 12C, 12D, 12F, 12G, 14A, 14B, 14D, 14E and 31 NMSA

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1 1978;

2 C. "licensing board" means a licensing board of a  
3 specific health care profession; and

4 D. "scope of practice" means the parameters within  
5 which a health care professional practices based upon  
6 education, experience, licensure, certification and expertise.

7 SECTION 3. [NEW MATERIAL] SCOPE OF PRACTICE ADVISORY

8 COMMITTEE CREATED.--

9 A. The "scope of practice advisory committee" is  
10 created and is administratively attached to the department of  
11 health.

12 B. The committee consists of the following nine  
13 members:

14 (1) four members appointed by the governor as  
15 follows; provided that no more than two of the members  
16 appointed pursuant to this paragraph may be members from the  
17 same political party:

18 (a) two members who are physicians  
19 licensed to practice in the state and have supervisory or team-  
20 based experience, one of whom holds a medical degree and one of  
21 whom holds a doctor of osteopathic medicine degree;

22 (b) one member who is an active faculty  
23 member at the university of New Mexico health sciences center  
24 and has expertise in evidence review, outcomes research and  
25 health economics; and

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(c) one member who is an attorney licensed to practice in the state with experience representing patients in claims or proceedings involving health care quality, negligence or professional accountability;

(2) four members appointed by the New Mexico legislative council as follows; provided that no more than two of the members appointed pursuant to this paragraph may be members from the same political party:

(a) two members who are health care professionals licensed or certified to practice in the state and have experience practicing in a team-based care model; and

(b) two members who shall represent the interests of health care consumers and who have experience advocating on behalf of consumers or the public interest in matters related to patient safety, health care quality or professional accountability; provided that these members shall not be employed by, under contract with or otherwise represent a health care licensing board or a professional association that advocates for scope of practice expansions; and

(3) the secretary of health or the secretary's designee.

C. Appointed committee members shall be appointed for staggered terms of four years beginning July 1, 2026. The initial members appointed by the New Mexico legislative council shall serve an initial term of four years. Members appointed

1 by the governor shall serve an initial term of two years.

2                   D. The committee may hire staff as necessary to  
3 enable the committee to carry out the committee's duties  
4 pursuant to the provisions of the Scope of Practice Act.

5                   E. The committee shall meet as necessary to carry  
6 out the committee's duties pursuant to the provisions of the  
7 Scope of Practice Act. Appointed committee members are  
8 entitled to receive per diem and mileage as provided in the Per  
9 Diem and Mileage Act and shall receive no other compensation,  
10 perquisite or allowance.

11                  **SECTION 4. [NEW MATERIAL] PROPOSED SCOPE OF PRACTICE**  
12                  **CHANGE--COMMITTEE DUTIES.--**

13                  A. A licensing board or legislator may submit to  
14 the committee a written request to review a proposed change to  
15 a scope of practice. The request shall include:

16                           (1) a clear description of the proposed  
17 change;

18                           (2) evidence-based support for the proposed  
19 change; and

20                           (3) anticipated impacts on patient safety,  
21 health care access and health care costs.

22                  B. Within ten days of receipt of the request, the  
23 committee or the committee's staff shall review the request to  
24 verify that the request satisfies the requirements of Subsection  
25 A of this section.

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1                   C. If a request is satisfactory, the committee shall  
2 post a copy of the request to the committee's website and hold a  
3 public hearing pursuant to the provisions of the Open Meetings  
4 Act within sixty days of receipt of the request to evaluate the  
5 request. The evaluation shall consider:

6                   (1) patient safety and quality of health care,  
7 including the potential harm or benefit to the health, safety or  
8 welfare of consumers;

9                   (2) education, training and competency of the  
10 health care workforce, including whether the education and  
11 clinical training required for the proposed scope of practice is  
12 sufficient for safe and effective health care services;

13                   (3) required supervision and accountability,  
14 including whether physician-led or physician-supervised care is  
15 necessary to ensure safe practice;

16                   (4) access to health care, including the  
17 expected impact on access to health care services in rural or  
18 underserved areas;

19                   (5) the cost of health care;

20                   (6) health care workforce development,  
21 including alignment with the state's health care workforce  
22 training, recruitment and retention needs;

23                   (7) regulatory consistency, including whether  
24 the proposed scope of practice would create conflicts with  
25 existing statutes or rules; and

(8) the standards and recommendations of national health care accrediting bodies and professional associations.

D. The committee shall invite pertinent licensing boards, professional associations and patient advocates to a public hearing conducted pursuant to the provisions of the Scope of Practice Act. The committee shall accept written input from the public regarding a proposed change to a scope of practice.

E. The committee shall take a final vote on every proposed scope of practice change evaluated at a public hearing. The committee may vote to endorse, modify or reject a proposed scope of practice change.

F. Within thirty days of the committee's vote, the committee shall develop a report detailing the committee's decision on a proposed scope of practice change. The report shall:

(1) be posted on the committee's website and shall be provided to the legislature, the governor and the pertinent licensing boards;

(2) include copies of any documents reviewed during the committee's deliberation;

(3) include a summary of the opinions that committee members expressed during deliberation; and

(4) include a record of each committee member's vote on the proposal.

1                   **SECTION 5. APPROPRIATION.--**Two hundred thousand dollars  
2                   (\$200,000) is appropriated from the general fund to the  
3                   department of health for expenditure in fiscal year 2027 to  
4                   carry out the purposes of the Scope of Practice Act. Any  
5                   unexpended balance remaining at the end of fiscal year 2027  
6                   shall revert to the general fund.

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