

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 SCOPES 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

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

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

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

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

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

22 C. Appointed committee members shall be appointed
23 for staggered terms of four years beginning July 1, 2026. The
24 initial members appointed by the New Mexico legislative council
25 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

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

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

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

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

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

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

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

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

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

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underscored material = new
[~~bracketed material~~] = delete

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