

AN ACT

RELATING TO PROFESSIONS; ENACTING THE SCOPE OF PRACTICE ACT;  
PROVIDING FOR A PROCESS TO EVALUATE PROPOSED CHANGES TO THE  
SCOPE OF PRACTICE OF HEALTH PROFESSIONS.

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

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

**SECTION 2.** DEFINITIONS.--As used in the Scope of  
Practice Act:

A. "committee" means the legislative committee or  
subcommittee assigned by the New Mexico legislative council to  
review and make recommendations regarding proposed changes to  
professional scope of practice;

B. "health profession" means a health-related  
activity or occupation conducted pursuant to Chapter 61,  
Article 2, 3, 4, 5A, 6, 7A, 8, 9, 9A, 10, 10A, 11, 12A, 12B,  
12C, 12D, 12F, 14A, 14B, 14D or 14E NMSA 1978;

C. "licensing board" means a licensing board of a  
specific health profession regulated pursuant to Chapter 61  
NMSA 1978; and

D. "scope of practice" means those practice  
activities permitted for a health profession as defined in its  
licensing act and rules adopted pursuant to that act.

**SECTION 3.** PROPOSED SCOPE OF PRACTICE CHANGE--DUTIES OF

LICENSING BOARD.--

A. A member or licensee of a licensing board proposing a change in the scope of practice shall make a written request to the respective licensing board detailing the proposed change.

B. Within ten days of receipt of the request, the licensing board shall notify the legislative council service of the request made pursuant to Subsection A of this section.

C. A person seeking licensure for a health-related profession not currently licensed by the state shall notify the legislative council service of the request for committee review of the proposed licensure.

**SECTION 4.** LEGISLATIVE REVIEW OF PROPOSED CHANGE IN SCOPE OF PRACTICE.--

A. Pursuant to the provisions of Subsection D of Section 2-3-3 NMSA 1978, the New Mexico legislative council shall assign a committee to review a new scope of practice or a proposed change to an existing scope of practice.

B. The committee shall:

(1) collect data, including information from the proponent and all other appropriate persons, necessary to review the proposed change;

(2) ensure appropriate public notice of the committee's proceedings;

(3) invite testimony from persons with

special knowledge in the field of the proposed change;

(4) assess the proposal using the following criteria:

(a) the potential harm or benefit to the health, safety or welfare of consumers;

(b) the impact on overall health care costs; and

(c) the impact on access to, and quality of, health care in New Mexico; and

(5) summarize its assessment, analysis and recommendations in a final report to the legislature. \_\_\_\_\_