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AN ACT
RELATING TO HEALTH CARE; AMENDING SECTIONS OF THE HEALTH
PROFESSIONAL LOAN REPAYMENT ACT AND THE OSTEOPATHIC MEDICINE
ACT TO ESTABLISH DESIGNATED HEALTH PROFESSIONAL LOAN
REPAYMENT FUNDING TO ASSIST OSTEOPATHIC PRIMARY CARE
PHYSICIANS WORKING IN DESIGNATED HEALTH PROFESSIONAL SHORTAGE
AREAS; ESTABLISHING OSTEOPATHIC PHYSICIAN LICENSING FEES FOR
THE HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM; ENACTING NEW
SECTIONS OF THE HEALTH PROFESSIONAL LOAN REPAYMENT ACT TO
ESTABLISH THE OSTEOPATHIC PHYSICIAN EXCELLENCE FUND; MAKING
APPROPRIATIONS.

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

SECTION 1. Section 21-22D-3 NMSA 1978 (being Laws 1995,
Chapter 144, Section 18, as amended) is amended to read:

"21-22D-3. DEFINITIONS.--As used in the Health
Professional Loan Repayment Act:

A. "department" means the higher education
department;

B. "health professional" means a primary care
physician, optometrist, podiatrist, physician's assistant,
dentist, nurse, member of an allied health profession as
defined in the Allied Health Student Loan for Service Act or
a licensed or certified health professional as determined by
the department;

1 C. "loan" means a grant of money to defray the
2 costs incidental to a health education, under a contract
3 between the federal government or a commercial lender and a
4 health professional, requiring either repayment of principal
5 and interest or repayment in services;

6 D. "nurse in advanced practice" means a registered
7 nurse, including a:

8 (1) certified nurse practitioner, certified
9 registered nurse anesthetist or clinical nurse specialist,
10 authorized pursuant to the Nursing Practice Act to function
11 beyond the scope of practice of professional registered
12 nursing; or

13 (2) certified nurse-midwife licensed by the
14 department of health; and

15 E. "osteopathic primary care physician" means an
16 osteopathic physician licensed pursuant to the Osteopathic
17 Medicine Act with specialty training in family medicine,
18 general internal medicine, obstetrics, gynecology or general
19 pediatrics."

20 SECTION 2. A new section of the Health Professional
21 Loan Repayment Act is enacted to read:

22 "OSTEOPATHIC PHYSICIAN EXCELLENCE FUND.--The department
23 shall apply funds appropriated to the department from the
24 osteopathic physician excellence fund established pursuant to
25 Section 3 of this 2019 act exclusively for health

1 professional loan repayment assistance for osteopathic
2 primary care physicians who are licensed pursuant to the
3 Osteopathic Medicine Act and who practice in areas of New
4 Mexico that the department has designated as underserved."

5 SECTION 3. A new section of the Health Professional
6 Loan Repayment Act is enacted to read:

7 "OSTEOPATHIC PHYSICIAN EXCELLENCE FUND--CREATION--
8 ADMINISTRATION--APPROPRIATION.--The "osteopathic physician
9 excellence fund" is created in the state treasury to support
10 awards established through the Health Professional Loan
11 Repayment Act to osteopathic primary care physicians who
12 practice in areas of New Mexico that the department has
13 designated as underserved. The fund consists of license
14 application and renewal surcharges pursuant to Section
15 61-10-6.1 NMSA 1978, appropriations, gifts, grants, donations
16 and income from investment of the fund. Any income earned on
17 investment of the fund shall remain in the fund. Money in
18 the fund shall not revert to any other fund at the end of a
19 fiscal year. The fund shall be administered by the
20 department, and money in the fund is appropriated to the
21 department to make awards established through the Health
22 Professional Loan Repayment Act to osteopathic primary care
23 physicians who practice in areas of New Mexico that the
24 department has designated as underserved. Disbursements from
25 the fund shall be made only upon warrants drawn by the

1 secretary of finance and administration pursuant to vouchers
2 signed by the secretary of higher education or the
3 secretary's authorized representative."

4 SECTION 4. Section 61-10-6.1 NMSA 1978 (being Laws
5 2016, Chapter 90, Section 7) is amended to read:

6 "61-10-6.1. FEES.--The board shall charge the following
7 fees; provided that all fees are nonrefundable and, except
8 for those fees collected pursuant to Paragraph (10) of
9 Subsection A of this section, shall be used by the board to
10 carry out its duties:

11 A. pertaining to osteopathic physicians:

12 (1) an application fee not to exceed one
13 thousand dollars (\$1,000) for triennial licensure of an
14 osteopathic physician pursuant to Section 61-10-12 NMSA 1978;

15 (2) a triennial osteopathic physician
16 licensure renewal fee not to exceed one thousand dollars
17 (\$1,000);

18 (3) a fee not to exceed seventy-five dollars
19 (\$75.00) for placing an osteopathic physician license on
20 inactive status;

21 (4) a late fee not to exceed:

22 (a) two hundred dollars (\$200) for
23 osteopathic physicians who fail to renew their licenses on or
24 before July 1 of the year in which their triennial licenses
25 are due for renewal but who renew on or before September 29

1 of that year; and

2 (b) four hundred dollars (\$400) for
3 osteopathic physicians who renew their licenses after
4 September 29;

5 (5) a reinstatement fee not to exceed five
6 hundred dollars (\$500) for reinstatement of a revoked,
7 suspended or inactive osteopathic physician license;

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

10 (7) a postgraduate osteopathic physician
11 training license fee not to exceed fifty dollars (\$50.00);

12 (8) an osteopathic physician telemedicine
13 triennial license fee not to exceed four hundred dollars
14 (\$400);

15 (9) an impaired physician fee not to exceed
16 one hundred dollars (\$100); and

17 (10) a fee of one hundred dollars (\$100) to
18 accompany fees for application for and renewal of osteopathic
19 physician licensure for deposit in the osteopathic physician
20 excellence fund pursuant to Section 3 of this 2019 act;

21 B. pertaining to osteopathic physician assistants:

22 (1) a biennial license fee not to exceed
23 four hundred fifty dollars (\$450);

24 (2) a registration of new supervision fee
25 that is equal to one-half of the biennial license fee for

1 osteopathic physician assistants;

2 (3) a late fee not to exceed twenty-five
3 dollars (\$25.00) for osteopathic physician assistants who
4 fail to renew their licenses on or before July 1 of the year
5 in which their biennial licenses are due for renewal;

6 (4) an impaired osteopathic physician
7 assistant fee not to exceed one hundred dollars (\$100); and

8 (5) a fee for an osteopathic physician
9 assistant license on inactive status not to exceed
10 seventy-five dollars (\$75.00); and

11 C. pertaining to osteopathic physician and
12 osteopathic physician assistant licensees or applicants:

13 (1) a fee not to exceed five hundred dollars
14 (\$500) for reprocessing an application or renewal that
15 includes errors that would otherwise be subject to
16 investigation and possible disciplinary action; and

17 (2) a reasonable administrative fee that the
18 board establishes by rule for verification of license,
19 publications and copying charges." _____

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