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## FISCAL IMPACT REPORT

SPONSOR HCPAC DATE TYPED 3/17/2005 HB 1009/HCPACS/aHBIC

SHORT TITLE Licensure Of Certain Physicians SB \_\_\_\_\_

ANALYST Moser

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

Duplicates: SB297, SB341

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
NM Medical Board (NMMB)

### SUMMARY

#### Synopsis of HBIC Amendment

The House Business and Industry Committee amendment to the HCPAC Committee Substitute for HB1009 restores language requiring licensure candidates to be "...of good moral character."

#### Synopsis of Committee Substitute

The HCPAC Substitute for HB1009 resolves issues raised over licensing graduates of UNM residency programs who did not go to approved schools. This substitute incorporates the clarifications and corrections to existing language found in SB297.

#### Significant Issues of Committee Substitute

A "grandfather" clause has been added to allow graduates of unapproved medical schools who complete two years or more of a residency program within New Mexico prior to December 30, 2007 to be licensed. Clarification to licensure sections will assist applicants to better understand the requirements for licensure. Provisions for exceptions to the examination timeframe will permit the Board to be more flexible in its consideration of individual applicants. It allows a gradu-

ate of an international medical school that may or may not be “approved” to be licensed in New Mexico if they have also completed at least two years of an approved postgraduate training program at or affiliated with an institution located in New Mexico prior to December 30, 2007. The will allow the current students who were accepted into a New Mexico residency program to be licensed and hopefully practice in rural areas of the State. Several of these students were accepted into UNM programs before the law changed in July 2002 to require an “approved” medical school.

To avoid similar problems in the future, language is being added on Page 17 to allow the Board to establish by rule specific education or examination requirements for postgraduate training (otherwise known as “resident”) licenses. Through the rule-making process the Board will be able to obtain public input and discussion before developing these specific requirements for a resident license.

### Synopsis of Original Bill

House Bill 1009 adds language to the Medical Practice Act which allows the Medical Board to license a graduate of any medical school or college if certain other conditions are met, including successful completion of two years of a postgraduate training program operated under the direction of or approved by the school of medicine at the University of New Mexico.

### Significant Issues

HB 1009 is intended to allow the Medical Board to license applicants who are not qualified for licensure because they attended an “unapproved” medical school, only if they have passed an approved exam and successfully completed two years of an approved postgraduate training program at an institution located in New Mexico.

### **PERFORMANCE IMPLICATIONS**

Clarifications and changes to the MPA in this bill will allow the Medical Board to improve its performance in investigations and licensing.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB1009 duplicates the original language of SB297. The Medical Board was initially concerned about the licensing of individuals who did not go to an accredited or approved school and who are just completing their residencies. However, the medical board indicates it has developed with Senator Komidina (SB297 sponsor) compromise language that will allow certain physicians who are currently in, or about to enter, postgraduate training programs in NM to be eligible for licensure. A substitute bill that combines SB 297 and SB 341, Medical Practice Act Amendments, into a single bill. These other proposed changes are discussed at length below.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

Certain applicants who attended schools outside of the US and who completed their residencies at UNM will not be eligible for licensure in New Mexico, unless they are first licensed in another state.

Certain investigation and disciplinary powers of the Board will continue to be limited. The Board will continue to have no flexibility regarding examination time frames, and may have to turn away otherwise qualified applicants.

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