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FISCAL IMPACT REPORT

SPONSOR Campos DATE TYPED 3/08/05 HB _____

SHORT TITLE Amend Chiropractic Physician Practice Act SB 411/aSPAC/aSJC

ANALYST Ford

APPROPRIATION

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

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Health Policy Commission (HPC)
Regulation and Licensing Department (RLD)

SUMMARY

Synopsis of SJC Amendment

The Senate Judiciary Committee amendment makes permissive, rather than mandatory, the section requiring the board to establish continuing education requirements for chiropractic physicians.

Synopsis of SPAC Amendment

The Senate Public Affairs Committee Amendment replaces references to the “boards” examination with “board” examination. It also replaces a reference to the “secretary-treasurer” of the board with the “superintendent of regulation and licensing.”

Synopsis of Original Bill

Senate Bill 411 amends several provisions of the Chiropractic Physician Practice Act. The bill:

- Deletes the provision requiring the chiropractic board to hold examinations at least twice

per year and notify applicants for licensure in writing of each examination;

- Allows the board to use a professional background service to compile background information regarding applicants;
- Allows the board to waive the requirement for a board-administered exam if the applicant has passed the national boards exam;
- Removes the requirement that the treasurer of the board be bonded and provide an annual itemized report of all receipts and disbursements;
- Allows the board to censure, reprimand, fine or place on probation and stipulation any licensee, in addition to its current authority to suspend or revoke a license;
- Allows the board to issue investigative subpoenas;
- Provides immunity from civil damages or criminal prosecution to the board or representatives acting in good faith within the functions of the board;
- Provide immunity from civil damages or criminal prosecution to a person who provides information to the board in good faith; and
- Specifies that communications made by any person to the board relating to disciplinary actions are confidential and not public records.

Significant Issues

The provisions of Senate Bill 411 will give the board more authority over standards of care issues by allowing it to better investigate complaints and by giving it more options to reprimand chiropractors. The bill also streamlines the licensure requirements for applicants who have passed the national boards. HPC notes that this change puts the subject matter of licensing tests out of the control of the state.

The bill also removes the provision dictating the frequency of board exams. Thus the law would be silent on the subject.

TECHNICAL ISSUES

RLD notes that Section 61-4-7, which changes the reference from “secretary of the board” to “secretary treasurer” of the board with respect vouchers issued for payments should actually refer to the RLD since the board is now administratively attached to RLD.

EF/yr:lg