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FISCAL IMPACT REPORT

ORIGINAL DATE 1/25/06
 LAST UPDATED 2/08/06 HB 253/aHLC

SPONSOR Lujan, A.

SHORT TITLE Professional License Reciprocity SB _____

ANALYST McSherry

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Non-Rec	Fund Affected
FY06	FY07	FY08		
	Indeterminate	Indeterminate	Recurring	Social Work Practice Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Attorney General's Office (AGO)
 Department of Health (DOH)

SUMMARY

Synopsis of HLC Amendment

The amendments adopted by the House Labor and Human Resources Committee would provide that the Council on Social Work Education, not the Board of Social Work Examiners, would remain the body responsible for approving bachelor's degree programs and the graduate schools of social work required for licensure.

Synopsis of Original Bill

HB 253 proposes to amend sections of the Social Work Practice Act providing:

- (1) That the Board of Social Work Examiners ("Board"), rather than the council on social work education, would approve of bachelor's degree programs in social work and the graduate schools of social work required for licensure,
- (2) The Board the ability to issue temporary licenses for a period not to exceed six months,
- (3) For licensure by reciprocity for applicants holding a valid licenses in good standing from another licensing jurisdiction for a minimum of five years, and

- (4) Changes to the license renewal cycle from annual to biennial.
- (5) Grammar and stylistic changes for conformity with the legislative draft manual

FISCAL IMPLICATIONS

The change from annual to biannual licensing could result in a fluctuation of board revenues.

SIGNIFICANT ISSUES

The AGO asserts that:

1. The amendment to Section 61-31-13, as drafted, may be interpreted to allow a licensee from another jurisdiction with only a bachelor's degree in social work to seek and obtain a graduate level license in New Mexico.
2. Section 8 is unclear, and asks if the Board is allowed to renew or extend a temporary license beyond six months if the Board needs more than six months to ensure that the applicant meets licensure requirements?

Technical amendments are suggested below under “alternatives.”

The changes to the Social Work Practice Act are part of an Executive proposal. DOH reports that HB 253 implements recommendations of the New Mexico Behavioral Health Workforce Group in response to Executive Order 2004-062.

DOH asserts that:

1. There are an insufficient number of behavioral health practitioners in New Mexico to meet the mental health and substance abuse needs of our citizens and that the shortage is especially acute in the rural and frontier areas of the state.
2. Lengthy delays in licensing qualified practitioners and restrictive policies of accepting credentials from practitioners working in other states have made relocation to New Mexico a difficult and time-consuming process.
3. This bill is part of a larger initiative to remove barriers to licensing and encourage more behavioral health practitioners.
4. The proposed changes would facilitate licensing of new social workers graduating from New Mexico universities, and potentially increasing the number of licensed and experienced social workers from other states considering relocation to New Mexico.

PERFORMANCE IMPLICATIONS

HB 253 is part of the Department of Health’s Strategic Plan Program Area 5, Objective 2: Enhance New Mexico's behavioral health workforce. Two strategies for Objective 2 would be a part of HB 253: "Simplify and streamline licensing" and "Recruit and retain behavioral health professionals."

ADMINISTRATIVE IMPLICATIONS

Biannual licensing could reduce the workload for administrators of the Social Work board.

TECHNICAL ISSUES

Page 10, number (4) should be restated: “has taken and passed the national examination as defined by rule; and” by striking the first words: “verifies that the applicant.”

OTHER SUBSTANTIVE ISSUES

DOH contends that the enactment of HB 253 would address the licensing reforms recommended by the Behavioral Health Workforce Group in their report to the Governor of Sept. 1, 2005.

ALTERNATIVES

AGO suggests the following technical changes:

1. Section 61-31-13 amended as follows:

Page 10, line 8: After the word "board" ADD: "and two years postgraduate social work practice under appropriate supervision required for the licensure level sought."

2. Correction to Section 61-31-13(B):

Page 11, line 3: Delete "annual" and in its place insert "biennial"

3. Clarify HB 253, Section 8:

Page 11, line 19: After the word "months" insert "."

Replace the remainder of line 19 to read as follows: "A temporary license may be renewed once for a period of time not to exceed six months if a longer period of time is needed for the board to"

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The Social Work Practice Act would remain in its current state. Licensing would continue to be renewed annually, temporary licensures would not be created, approval of bachelor’s degree programs would be the responsibility of the council on social work education rather than that of the board, reciprocity would be restricted to individuals who in the judgment of the board are licensed in an area “which has requirements, including knowledge of New Mexico cultures, substantially equivalent to or exceeding those in the Social Work Practice Act for the licensure level sought.”

POSSIBLE QUESTIONS

1. What is the opinion of social work professional organizations regarding the proposed changes to the practice act?

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