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HOUSE BILL 88

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO WORKERS' COMPENSATION; AMENDING THE DEFINITION OF  
"HEALTH CARE PROVIDER" TO INCLUDE ATHLETIC TRAINERS.

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

Section 1. Section 52-4-1 NMSA 1978 (being Laws 1983,  
Chapter 116, Section 1, as amended) is amended to read:

"52-4-1. DEFINITION--HEALTH CARE PROVIDER.--As used in  
Chapter 52 NMSA 1978, "health care provider" means:

A. a hospital maintained by the state or a  
political subdivision of the state or any place currently  
licensed as a hospital by the department of health that has:

- (1) accommodations for resident bed patients;
- (2) a licensed professional registered nurse  
always on duty or call;
- (3) a laboratory; and

underscored material = new  
[bracketed material] = delete

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- 1 (4) an operating room where surgical  
2 operations are performed;
- 3 B. an optometrist licensed pursuant to the  
4 provisions of Chapter 61, Article 2 NMSA 1978;
- 5 C. a [~~chiropractor~~] chiropractic physician licensed  
6 pursuant to the provisions of Chapter 61, Article 4 NMSA 1978;
- 7 D. a dentist licensed pursuant to the provisions of  
8 Chapter 61, Article 5 NMSA 1978;
- 9 E. a physician licensed pursuant to the provisions  
10 of Chapter 61, Article 6 NMSA 1978;
- 11 F. a podiatrist licensed pursuant to the provisions  
12 of Chapter 61, Article 8 NMSA 1978;
- 13 G. an osteopathic physician licensed pursuant to  
14 the provisions of Chapter 61, Article 10 NMSA 1978;
- 15 H. a physician assistant [~~registered~~] licensed  
16 pursuant to the provisions of Section 61-6-7 NMSA 1978;
- 17 I. a certified nurse practitioner licensed pursuant  
18 to Section 61-3-23.2 NMSA 1978;
- 19 J. a physical therapist licensed pursuant to the  
20 provisions of Chapter 61, Article 12 NMSA 1978;
- 21 K. an occupational therapist licensed pursuant to  
22 the provisions of Chapter 61, Article 12A NMSA 1978;
- 23 L. a doctor of oriental medicine licensed pursuant  
24 to the provisions of Chapter 61, Article 14A NMSA 1978;
- 25 M. an athletic trainer licensed pursuant to the

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underscoring material = new  
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1 provisions of Chapter 61, Article 14D NMSA 1978;

2 [M-] N. a psychologist who is duly licensed or  
3 certified in the state where the service is rendered, holding a  
4 doctorate degree in psychology and having at least two years  
5 clinical experience in a recognized health setting, or who has  
6 met the standards of the national register of health services  
7 providers in psychology;

8 [N-] O. a certified nurse-midwife licensed by the  
9 board of nursing as a registered nurse and registered with the  
10 behavioral health services division of the department of health  
11 as a certified nurse-midwife; or

12 [Ø-] P. any person or facility that provides  
13 health-related services in the health care industry, as  
14 approved by the director."