SENATE BILL 18

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

INTRODUCED BY

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AN ACT

RELATING TO LICENSING; AMENDING THE UNIFORM LICENSING ACT TO PERMIT TRADITIONAL, CULTURAL, COMPLEMENTARY AND ALTERNATIVE HEALTH CARE WITHOUT A LICENSE.

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

        Section 1. Section 61-1-3.2 NMSA 1978 (being Laws 2003, Chapter 334, Section 3) is amended to read:

        "61-1-3.2. UNLICENSED ACTIVITY--DISCIPLINARY PROCEEDINGS--CIVIL PENALTY--<u>EXEMPTIONS</u>.--

        A. A person who is not licensed to engage in a profession or occupation regulated by a board is subject to disciplinary proceedings by the board.

        B. A board may impose a civil penalty in an amount not to exceed one thousand dollars ($1,000) against a person who, without a license, engages in a profession or occupation

regulated by the board. In addition, the board may assess the

person for administrative costs, including investigative costs

and the cost of conducting a hearing.

C. Nothing in the Uniform Licensing Act is to be

construed as requiring licensure of a person engaged in

traditional, cultural, complementary or alternative health care

as long as that person does not claim to be engaged in the

practice of medicine or in any other profession or occupation

regulated by a board.

D. Nothing in the Uniform Licensing Act is to be

construed to limit the public's right to access traditional,

cultural, complementary or alternative health care

practitioners, nor to limit the right of a nonlicensed

traditional, cultural, complementary or alternative health care

practitioner to practice."

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