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FISCAL IMPACT REPORT

ORIGINAL DATE 3/9/07

SPONSOR HHGAC LAST UPDATED _____ HB HJM 71/HHGACS

SHORT TITLE HEALTH CARE PROFESSION SCOPES OF PRACTICE SB _____

ANALYST Hanika Ortiz

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY07 | FY08 | FY09 | 3 Year Total Cost | Recurring or Non-Rec | Fund Affected |
|--------------|------|-----------------------|------|----------------------|-------------------------|------------------|
| Total | | \$.1 see narrative | | | | |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

The House Health & Government Affairs Committee Substitute for House Joint Memorial 71 requests the Interim Legislative Health and Human Services Committee to establish an unbiased and fair process to review scopes of practice of the health care professions.

The memorial provides the following comments:

- The legislature seeks objective information on proposed changes to health care scopes of practice or the creation of new scopes of practice.
- The reasons for scope of practice changes should have a foundational basis within four areas: an established history of the practice scope within the profession, education and training, supporting evidence and an appropriate regulatory environment.
- The purpose of any review and subsequent change of any scope of practice is to promote better consumer care across professions and providers, improve access to care and recognize the inevitability of overlapping scopes of practice.
- Some practice changes are the result of changes already occurring in education or practice due to research advances in technology and changes in societal health care demands.

FISCAL IMPLICATIONS

The memorial resolves that the interim legislative health and human services committee study and recommend to the legislature an unbiased and fair process to review proposed changes to

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scopes of practice of licensed health professions and new health professions requesting licensure. Costs will be determined by how often the committee members meet; and, the impact from any recommendations made by the task force and implemented by State agencies.

Committee members are eligible to receive the federally established per diem rate plus mileage.

SIGNIFICANT ISSUES

The goal of the memorial is to explore an avenue for a more objective review process for assessing proposed changes in a health professions scope of practice; and, ultimately improve the health and well being of the people of New Mexico.

PERFORMANCE IMPLICATIONS

Every legislative session brings a request by a health profession to expand their scope of practice. Some legislators note that these bills are confusing and believe they are not qualified to make decisions in these areas.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to:

SB367 Optometry Exclusions and Certifications
SB353 Clarify Oriental of Medicine Practice
SB18 Permit Certain Unlicensed Healthcare
HB88 Athletic Trainer as Health Provider
HB246 Polysomnography License and permits
HB103 Counseling and Therapy Licensure Requirements
SB20 Physician Licensure Requirements
SB513 Traditional Naturopathic Practice Act
HB199 Instructional Support Provider License

TECHNNICAL ISSUES

The substitute memorial does not provide for the Health Policy Commission to receive a copy of the memorial.

There is no date by which the committee is expected to conclude its study.

OTHER SUBSTANTIVE ISSUES

The scope of practice of a licensed healthcare profession is statutorily defined in law in the form of a practice act. The State legislature has the authority to adopt or modify practice acts and therefore adopt or modify a particular scope of practice of a healthcare profession. Sometimes modification of practice acts are just the formalization of changes already occurring in education or practice within a profession, due to the results of research, advances in technology, and changes in healthcare demands.

There are nineteen health professional health related licensing boards in New Mexico and within each statute, multiple scopes of practice. The scope of practice of a health profession may have a significant impact on the quality, cost and geographic availability of health services as well as patient safety. Changes in such areas as professional education and training, treatment technologies and methodologies, reimbursement, cost containment and the health care delivery structure can also impact the demand for and complexity of scope of practice changes.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The current system will remain in place which provides for public input through membership on licensing boards, public hearings and reporting to the legislature.

AHO/mt