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FISCAL IMPACT REPORT

ORIGINAL DATE 03/02/11

SPONSOR Chavez, Eleanor **LAST UPDATED** _____ **HB** 576

Define Acupuncture and Oriental Medicine

SHORT TITLE Duties **SB** _____

ANALYST Sanchez, C.

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$16.0	\$16.0	\$32.0	Recurring	Acupuncture Board Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)
Regulation and Licensing Department (RLD)

Responses Received From

Department of Health (DOH)
Health Policy Commission (HPC)

SUMMARY

Synopsis of Bill

House Bill 576 seeks to clarify the procedures and substances that are within the scope of practice of Acupuncture and Oriental Medicine. It also provides a limited prescriptive authority practice and creates a limited prescriptive authority practice committee providing the powers and duties along with the practice fees.

FISCAL IMPLICATIONS

According to the Regulation and Licensing Department (RLD), the Acupuncture and Oriental Medicine Board would incur additional costs related to board member travel and per diem. To reimburse the six members of the Limited Prescriptive Authority Practice Committee would cost approximately \$2,000 per meeting. The statute would require the committee to meet and review an application within 45 of the application being complete. This would require a minimum of eight meetings per year with a total minimum cost of \$16,000.

Currently the board did not request an appropriation of any additional funding per diem and mileage for FY12.

SIGNIFICANT ISSUES

According to the Regulation and Licensing Department (RLD), scope of practice changes can pose risk to the public if not accompanied by appropriately expanded education and oversight.

The bill creates a Limited Prescriptive Authority Practice Committee which defines the membership, appointments, duties and powers of the committee. This bill would require the committee give approval prior to the Board adopting, publishing and filing rules.

The bill allows for the board to issue certification to an applicant if all fees are paid, education and training are provided and the complete applications are reviewed by the Limited Prescriptive Authority Practice Committee.

The bill would eliminate the certifications in the four expanded practices of basic injection therapy, injection therapy, intravenous therapy and bioidentical hormone therapy and provide certification for limited prescriptive authority to practice in a specified module only for the substances enumerated within Section 61-14A-8.1 C., which is an expansion of the formulary of approved dangerous drugs listed in the Acupuncture and Oriental Medicine Practice Act.

The bill removes reference to the prescribing, administering, compounding and dispensing of prescriptive drugs as they are defined in the New Mexico Drug, Device and Cosmetic Act and nonprescription drugs as they are defined in the Pharmacy Act.

Finally, the bill provides the fees associated with the Limited Prescriptive Authority.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

CS/bym