

FIFTY-SECOND LEGISLATURE
FIRST SESSION, 2015

SB 376/a

February 26, 2015

Mr. President:

Your **PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

SENATE BILL 376

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, line 11, strike "and".
2. On page 3, between lines 16 and 17, insert the following new subparagraph:

"(d) the prescription, administration, injection or dispensing of any controlled substance enumerated in Schedule I or Schedule II of the Controlled Substances Act; and".
3. On page 25, line 4, after "instruction", insert "that has been approved by the New Mexico medical board".
4. On page 26, between lines 7 and 8, insert the following new subsections:

"D. Upon receipt of certification as a level-two certified advanced practice chiropractic physician, the level-two certified advanced practice chiropractic physician shall enter into a written collaborative practice agreement with a physician licensed pursuant to the Medical Practice Act or Chapter 61, Article 10 NMSA 1978 or a certified nurse practitioner in order to prescribe, administer, inject and dispense dangerous drugs that are used in a standard primary care practice, with the exception of controlled substances enumerated under Schedule I or Schedule II of the Controlled Substances Act. A written collaborative practice agreement shall include the following:

- (1) a plan for consultation and referral;
- (2) protocols for prescribing; and

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(3) a fifteen percent random sample of charts and prescriptions on a quarterly basis that will be reviewed and attested to by the collaborating physician or certified nurse practitioner.

E. At the end of five years of collaborative practice, the collaborating physician licensed pursuant to the Medical Practice Act or Chapter 61, Article 10 NMSA 1978 or certified nurse practitioner may attest in writing to the successful completion of the period of collaboration.

F. Upon receipt of a signed, written attestation pursuant to Subsection E of this section, the level-two certified advanced practice chiropractic physician shall file the attestation with the board of chiropractic examiners. Upon the board's receipt of the attestation, the board shall issue to the level-two certified advanced practice chiropractic physician written permission to practice outside of the chiropractic physician's collaborative practice agreement."

5. Reletter the succeeding subsections accordingly.,
and thence referred to the **JUDICIARY COMMITTEE.**

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Respectfully submitted,

Gerald Ortiz y Pino, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 1 Against

Yes: 5

No: O'Neill

Excused: Ivey-Soto, Kernan

Absent: None

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