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FISCAL IMPACT REPORT

ORIGINAL DATE 01/20/15
LAST UPDATED 03/13/15 **HB** 54/aSPAC

SPONSOR Espinoza

SHORT TITLE Anesthesiology Assistant Definitions **SB** _____

ANALYST Cerny

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Medical Board (MB)

SUMMARY

Synopsis of SPAC Amendment

Senate Public Affairs Committee amendment to House Bill 54 would amend the Anesthesiologist Assistant Act (Section 61-6-10.2 NMSA 1978) by changing the definition of Anesthesiologist Assistant (AA) and removing the provisions which require, for the purposes of this act, that AAs practice only if they are employed by the University of New Mexico.

Thus, House Bill 54 would permit other hospitals in New Mexico (besides University of New Mexico Hospital) to employ AAs under precisely the same functional and supervisory requirements and to be supervised and directed by anesthesiologists where they work.

The important changes introduced by the amendment, agreed to by all parties, and passed unanimously by the SPAC include:

- A change in title for the bill. The new title will be: “An Act Relating to Licensure; In the Anesthesiologist Assistants Act, to Expand Supervision Opportunities for Anesthesiologist Assistants”.
- On page 2, line 9, there clarification that AAs are “licensed” (rather than “certified”, as in the original bill).
- A new Section 2 amends Section 61-6-10.9 to allow AA to practice outside of a university in New Mexico with a medical school” and requires that the number of AAs a supervising

anesthesiologist may supervise at one time except in emergencies is not to exceed three; Section 2 also establishes “with respect to practice at a university in New Mexico with a medical school” that the number of anesthesiologist providers a supervising anesthesiologist may supervise at one time, except in emergencies, will not exceed four if at least one is an AA”;

- A new Section 3: provides for employment of an AA at a university or practice in a location other than a university with a medical school, providing they must practice in a health facility licensed by the department of health, in one of the class A New Mexico counties, where a minimum of three board-certified anesthesiologist are on the staff and also be supervised by a board-certified anesthesiologist.
- A new Section 4, defining anesthesiologist and AA;
- A new Section 5, creating a ‘delayed repeal’ for Section 3 of the act, for reassessment in ten years (2025);
- A new Section 6 states that effective date of the provisions of Sections 1 through 3 are July 1, 2015” and that the effective date of Section 4 is July 1, 2025.

FISCAL IMPLICATIONS

No fiscal impact anticipated.

SIGNIFICANT ISSUES

Currently, anesthesiology assistants can practice only at the University of New Mexico Hospital and under the supervision of a Board-certified anesthesiologist employed there. Removing this restriction would allow anesthesiology assistants to practice at other hospitals within the state of New Mexico under the same supervisory requirements, thereby allowing other interested hospitals to employ these highly trained and qualified medical practitioners.

Bills similar to this one have been introduced before. This bill, as amended, now satisfies the MB, which had previously had issues with earlier bills. MB analysis states “The addition of anesthesiologist assistants to the staffs of other qualifying hospitals in New Mexico would increase the availability of anesthesiology services to their patient populations”

TECHNICAL ISSUES

The amendment as passed creates three technical errors, with those in Section 6 being critical to the sense of the bill.

On page 5 of the amendment, subsection E is missing a quotation mark in the second line, prior to the word “anesthesiologist”.

Section 6A of the amendment should read, in the second line: “through **4** of this act is July 1, 2015” and in Section 6B, should read on the first line “The effective of the provisions of Section **5...**”