

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

AN ACT

RELATING TO PROFESSIONAL LICENSURE; ENACTING NEW SECTIONS OF THE MEDICAL PRACTICE ACT AND THE OSTEOPATHIC MEDICINE ACT TO PROVIDE A TEMPORARY EXEMPTION TO LICENSURE REQUIREMENTS TO VISITING PHYSICIANS WHO PROVIDE CARE TO OUT-OF-STATE SPORTS TEAM MEMBERS AND STAFF DURING SPORTING EVENTS.

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

SECTION 1. A new section of the Medical Practice Act is enacted to read:

"TEMPORARY LICENSURE EXEMPTION--OUT-OF-STATE PHYSICIANS--OUT-OF-STATE SPORTS TEAMS.--

A. An individual who is licensed in good standing to practice medicine and surgery in another state, and whom the board has not previously found to have violated a provision of the Medical Practice Act, may practice medicine without a license granted by the board if the individual has a written agreement with an out-of-state sports team to provide care to team members and staff traveling with the team for a specific sporting event to take place in this state; provided that:

(1) the individual has a written agreement with the out-of-state sports team governing body to provide health care services to an out-of-state sports team athlete or staff member at a scheduled sporting event;

1 (2) the individual's practice is limited to  
2 medical care to assist injured and ill players and coordinate  
3 appropriate referral to in-state health care providers as  
4 needed;

5 (3) the services to be provided by the  
6 individual are within the scope of practice authorized  
7 pursuant to the Medical Practice Act and rules of the board;

8 (4) the individual has professional  
9 liability coverage for the duration of the sporting event;

10 (5) the individual shall not:

11 (a) provide care or consultation  
12 to a resident of this state, other than a member of the  
13 out-of-state sports team during a sporting event; or

14 (b) practice medicine in the state,  
15 outside of the sporting event;

16 (6) the authorization to practice without a  
17 board-issued license pursuant to this section shall be valid  
18 only during the time of the sporting event, while the  
19 individual granted the authorization is providing care to the  
20 out-of-state sports team, and is limited to the duration of  
21 the sporting event;

22 (7) the individual or out-of-state sports  
23 team shall report to the board any potential:

24 (a) medical license violation;

25 (b) practice negligence; or

1 (c) unprofessional or dishonorable  
2 conduct, as those terms are defined in board rules;

3 (8) the individual's practice of medicine  
4 and surgery pursuant to this section shall be subject to  
5 board oversight, investigation and discipline in accordance  
6 with the provisions of the Medical Practice Act; and

7 (9) the board may report to a licensing  
8 board in a state in which an individual practicing medicine  
9 or surgery pursuant to this section is licensed to practice  
10 medicine and surgery any findings it makes pursuant to an  
11 investigation or disciplinary action that the board  
12 undertakes.

13 B. The board shall adopt and promulgate rules to  
14 implement the provisions of this section.

15 C. As used in this section:

16 (1) "out-of-state sports team" means an  
17 entity or organization:

18 (a) for which athletes engage in a  
19 sporting event;

20 (b) headquartered or organized under  
21 laws other than the laws of New Mexico; and

22 (c) a majority of whose staff and  
23 athletes are residents of another state; and

24 (2) "sporting event" means a scheduled  
25 sporting event involving an out-of-state sports team for

1 which an admission fee is charged to the public, including  
2 any preparation or practice related to the activity."

3 SECTION 2. A new section of the Osteopathic Medicine  
4 Act is enacted to read:

5 "TEMPORARY LICENSURE EXEMPTION--OUT-OF-STATE OSTEOPATHIC  
6 PHYSICIANS--OUT-OF-STATE SPORTS TEAMS.--

7 A. An individual who is licensed in good standing  
8 to practice osteopathic medicine in another state and whom  
9 the board has not previously found to have violated a  
10 provision of the Osteopathic Medicine Act, may practice  
11 osteopathic medicine without a license granted by the  
12 board if the individual has a written agreement with an  
13 out-of-state sports team to provide care to team members and  
14 staff traveling with the team for a specific sporting event  
15 to take place in this state; provided that:

16 (1) the individual has a written agreement  
17 with the out-of-state sports team governing body to provide  
18 health care services to an out-of-state sports team athlete  
19 or staff member at a scheduled sporting event;

20 (2) the individual's practice is limited to  
21 medical care to assist injured and ill players and coordinate  
22 appropriate referral to in-state health care providers as  
23 needed;

24 (3) the services to be provided by the  
25 individual are within the scope of practice authorized

1 pursuant to the Osteopathic Medicine Act and rules of the  
2 board;

3 (4) the individual has professional  
4 liability coverage for the duration of the sporting event;

5 (5) the individual shall not:

6 (a) provide care or consultation  
7 to a resident of this state, other than a member of the  
8 out-of-state sports team during a sporting event; or

9 (b) practice medicine in the state,  
10 outside of the sporting event;

11 (6) the authorization to practice without a  
12 board-issued license pursuant to this section shall be valid  
13 only during the time of the sporting event, while the  
14 individual granted the authorization is providing care to the  
15 out-of-state sports team, and is limited to the duration of  
16 the sporting event;

17 (7) the individual and the out-of-state  
18 sports team shall report to the board any potential  
19 osteopathic medical license violations or practice  
20 negligence;

21 (8) the individual's practice of osteopathic  
22 medicine pursuant to this section shall be subject to board  
23 oversight, investigation and discipline in accordance with  
24 the provisions of the Osteopathic Medicine Act; and

25 (9) the board may report to a licensing

