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## FISCAL IMPACT REPORT

SPONSOR	Ortiz y Pino	ORIGINAL DATE LAST UPDATED	2/05/2021 <b>HB</b>	
SHORT TITL	LE No Citizenship Pro	oof For Occupational Lic	eense SB	219
			ANALYST	Hanika-Ortiz

# **REVENUE** (dollars in thousands)

Estimated Revenue			Recurring	Fund
FY21	FY22	FY23	or Nonrecurring	Affected
	Indeterminate		Recurring	Various

(Parenthesis ( ) Indicate Revenue Decreases)

#### SOURCES OF INFORMATION

LFC Files

Responses Received From
Office of the Superintendent of Insurance (OSI)
New Mexico Medical Board (NMMB)
Attorney General (NMAG)
Regulation and Licensing Department (RLD)

### **SUMMARY**

### Synopsis of Bill

Senate Bill 219 amends a number of statutes by removing proof of legal residency requirements for certain occupations and professions and allows submission of an individual taxpayer identification number as an alternative to a social security number for certain licenses and permits.

There is no effective date of this bill. It is assumed the effective date is 90 days following adjournment of the Legislature.

#### FISCAL IMPLICATIONS

It is likely changes could increase applications for licensure, increasing revenue to the state.

The boards, commissions, and agencies impacted by the bill would conduct administrative rulemaking proceedings to amend current administrative rules to be in compliance with the requirements of the bill. Resource impacts to licensing boards, commissions, and agencies will result from additional staff time, publication of notices and proposed rules, and conducting public

## Senate Bill 219 – Page 2

hearings.

According to irs.gov, an individual taxpayer identification number (ITIN) helps those not eligible for social security numbers comply with tax laws. They are issued regardless of immigration status, because both residents and nonresidents may have a U.S. filing requirement under the Internal Revenue Code. ITINs do not serve any purpose other than federal tax reporting. An ITIN does not authorize work in the United States or provide eligibility for social security benefits. ITINs allow the IRS to bring in billions of dollars the federal government would otherwise have no way of collecting.

### **SIGNIFICANT ISSUES**

The license types affected include pawnbrokers, insurers and adjusters, bail bondsmen, employee leasing contractors, optometrists, certain medical licenses by endorsement, physical therapists, collection agencies, home inspectors, real estate brokers, and real estate appraisers and trainees.

SB219 includes physicians who apply by endorsement with the NMMB. According to the NMMB, licensure by endorsement is for physicians who have practiced for three years and are board certified, amongst other requirements. The NMMB licenses physicians by examination as well, which is for those who have not practiced in the United States but have passed all examinations. It is unclear why one type of license would be exempted (endorsement) but not the other (examination). Additionally, NMMB has other license types, such as telemedicine license, post-graduate training license, and temporary physician license, which would still require proof of citizenship.

## CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to SB279, Osteopathic Medicine Changes, proposing to eliminate the requirement of submitting proof of citizenship or legal residency upon application for all NMMB's license types.

SB60 removes the requirement that physical therapists provide proof of legal authorization to reside and seek employment in the U.S. and eliminates English proficiency requirements.

## OTHER SUBSTANTIVE ISSUES

By law you cannot have both an ITIN and a social security number.

#### **AMENDMENTS**

NMMB also licenses other healthcare professionals, physician assistants, naturopathic physicians, genetic counselors, anesthesiologist assistants, doctors of naprapathy, naturopathic doctors. NMMB would propose to amend this bill to add all of the board's license types.

AHO/sb