

SENATE BILL 106

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO HEALTH CARE; INCLUDING SJC→**PSYCHOLOGISTS**,←SJC
PHYSICIAN ASSISTANTS AND PHARMACISTS IN THE DEFINITION OF
"HEALTH CARE PRACTITIONER" FOR THE PURPOSE OF MAKING CERTAIN
PROVISIONS IN HEALTH CARE PRACTITIONER AGREEMENTS VOID,
UNENFORCEABLE AND AGAINST PUBLIC POLICY; DECLARING AN
EMERGENCY.

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

.223812.1AIC February 27, 2023 (11:42am)

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SECTION 1. Section 24-1I-1 NMSA 1978 (being Laws 2015, Chapter 96, Section 1, as amended) is amended to read:

"24-1I-1. DEFINITIONS.--As used in Chapter 24, Article 1I NMSA 1978:

A. "agreement" means a written contract to which a health care practitioner is a party; and

B. "health care practitioner" means:

- (1) a dentist;
- (2) an osteopathic physician;
- (3) a physician;
- (4) a podiatrist;
- (5) a certified registered nurse anesthetist;
- (6) a certified nurse practitioner; [~~and~~]
- (7) a certified nurse-midwife;

SJC→(8) a psychologist;←SJC

SJC→(8)←SJC SJC→(9)←SJC a physician

assistant; and

SJC→(9)←SJC SJC→(10)←SJC a pharmacist."

SECTION 2. Section 24-1I-5 NMSA 1978 (being Laws 2015, Chapter 96, Section 5, as amended) is amended to read:

"24-1I-5. APPLICABILITY.--

A. Chapter 24, Article 1I NMSA 1978 does not apply to agreements between health care practitioners who are shareholders, owners, partners or directors of a health care practice.

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B. Except as provided by [~~Subsection~~] Subsections C and D of this section, the provisions of Chapter 24, Article 1I NMSA 1978 apply to agreements, or renewals or extensions of agreements, executed on or after July 1, 2015.

C. The provisions of Subsection B of Section 24-1I-2 NMSA 1978 apply to agreements, or renewals or extensions of agreements, executed on or after [~~the effective date of this 2017 act~~] April 6, 2017.

D. For SJC → psychologists, ← SJC physician assistants and pharmacists, the provisions of Chapter 24, Article 1I NMSA 1978 apply to agreements, or renewals or extensions of agreements, executed on or after the effective date of this 2023 act."

SECTION 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

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