

SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 111

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

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 LICENSURE; PROVIDING FOR THE TEMPORARY SUSPENSION OF THE COLLECTION OF FEES FOR FIRST-TIME LICENSES FOR CERTAIN PROFESSIONS AND OCCUPATIONS; REQUIRING DATA COLLECTION AND ANALYSIS TO DETERMINE THE EFFICACY OF THE SUSPENSION PROGRAM
SFC→;←SFC SFC→.←SFC SFC→~~MAKING AN APPROPRIATION.~~←SFC

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

SECTION 1. TEMPORARY PROVISION--TEMPORARILY SUSPENDING

.224626.2AIC March 13, 2023 (5:49pm)

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FIRST-TIME PROVISIONAL AND INITIAL LICENSE FEES FOR PERSONS ENTERING PROFESSIONS AND OCCUPATIONS IN NEW MEXICO--RENEWAL AND REINSTATEMENT AND OTHER FEES COLLECTED BY BOARDS AND COMMISSIONS CONTINUE.--

A. As used in this section, "first-time license" includes provisional and initial licensure, certification, registration, permitting or other word that indicates that a person has been qualified to engage in a profession or occupation regulated by the state.

B. The state shall suspend the collection of license fees for first-time licensure of persons in the professions and occupations listed in this section who reside in the state of New Mexico; provided that this provision does not include businesses or managers or supervisors of businesses. This program of suspension shall begin July 1, 2023 and end June 30, HGEIC→SFC→2026←SFC←SFC→2024←SFC←HGEIC HGEIC→2026←HGEIC . The regulation and licensing department, adjunct licensing boards and other departments that license professions and occupations listed in this section shall collect and analyze data to determine whether the suspension of first-time license fees results in increased participation in licensed professions and occupations and whether additional licensees are drawn from resident New Mexicans or other jurisdictions.

C. Persons who are not required to pay the first-

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time license fee for licensure in a profession or occupation listed in this section shall meet all other requirements for licensure, including education, training, experience and examination, and pay all other fees as required by the laws and rules governing the particular profession or occupation.

D. The boards, commissions and departments regulating the following professions and occupations shall not collect first-time licensing fees in:

(1) the School Personnel Act, Chapter 22, Article 10A NMSA 1978, licensing or certifying teachers, school administrators and instructional support staff;

(2) Subsection V of Section 24-1-3 NMSA 1978 and rules adopted pursuant to that subsection, licensing midwives;

(3) the Emergency Medical Services Act, Chapter 24, Article 10B NMSA 1978, and rules adopted pursuant to that act, licensing emergency medical dispatchers and emergency medical dispatcher instructors; emergency medical services first responders; and basic, intermediate and paramedic emergency medical technicians;

(4) the Optometry Act, Chapter 61, Article 2 NMSA 1978, licensing optometrists;

(5) the Nursing Practice Act, Chapter 61, Article 3 NMSA 1978, licensing registered nurses, licensed

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practical nurses, nursing specialists and lactation consultants;

(6) the Chiropractic Physician Practice Act, Chapter 61, Article 4 NMSA 1978, licensing chiropractic physicians and chiropractic assistants;

(7) the Dental Health Care Act, Chapter 61, Article 5A NMSA 1978, licensing dentists, dental hygienists, dental therapists, dental assistants, expanded-function dental auxiliaries and community dental health coordinators;

(8) the Medical Practice Act, Chapter 61, Articles 6, 6A, 6B, 6C, 6D, 12F and 12G NMSA 1978, licensing medical or osteopathic physicians, physician assistants, polysomnographic technologists, anesthesiologist assistants, naturopathic doctors, naprapaths and genetic counselors;

(9) the Nutrition and Dietetics Practice Act, Chapter 61, Article 7A NMSA 1978, licensing dieticians, nutritionists and nutrition associates;

(10) the Podiatry Act, Chapter 61, Article 8 NMSA 1978, licensing podiatrists and foot and ankle radiation technologists;

(11) the Professional Psychologist Act, Chapter 61, Article 9 NMSA 1978, licensing psychologists and psychologist associates;

(12) the Counseling and Therapy Practice Act, Chapter 61, Article 9A NMSA 1978, licensing professional mental

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health counselors, professional clinical mental health counselors, independent mental health counselors, mental health counselors, marriage and family therapists, associate marriage and family therapists, professional art therapists, alcohol and drug abuse counselors, alcohol abuse counselors and substance abuse associates;

(13) the Pharmacy Act, Chapter 61, Article 11 NMSA 1978, licensing pharmacists, pharmacist interns and pharmacy technicians;

(14) the Occupational Therapy Act, Chapter 61, Article 12A NMSA 1978, licensing occupational therapists and occupational therapy assistants;

(15) the Respiratory Care Act, Chapter 61, Article 12B NMSA 1978, licensing respiratory care practitioners;

(16) the Massage Therapy Practice Act, Chapter 61, Article 12C NMSA 1978, licensing massage therapists;

(17) the Physical Therapy Act, Chapter 61, Article 12D NMSA 1978, licensing physical therapists and physical therapist assistants;

(18) the Nursing Home Administrators Act, Chapter 61, Article 13 NMSA 1978, licensing nursing home administrators;

(19) the Veterinary Practice Act, Chapter 61,

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Article 14 NMSA 1978, licensing veterinarians and veterinary technicians;

(20) the Acupuncture and Oriental Medicine Practice Act, Chapter 61, Article 14A NMSA 1978, licensing acupuncturists and doctors of oriental medicine;

(21) the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act, Chapter 61, Article 14B NMSA 1978, licensing audiologists, hearing aid dispensers and speech-language pathologists;

(22) the Athletic Trainer Practice Act, Chapter 61, Article 14D NMSA 1978, licensing athletic trainers;

(23) the Medical Imaging and Radiation Therapy Health and Safety Act, Chapter 61, Article 14E NMSA 1978, licensing magnetic resonance technologists, radiographers, nuclear medicine technologists, diagnostic medical sonographers and radiation therapists;

SFC → ~~(24) the Barbers and Cosmetologists Act, Chapter 61, Article 17A NMSA 1978, licensing barbers, cosmetologists, estheticians, electrologists, hairstylists and manicurist-pedicurists;~~

~~(25) the Body Art Safe Practices Act, Chapter 61, Article 17B NMSA 1978, licensing body artists;~~

~~(26) the Landscape Architects Act, Chapter 61, Article 24B NMSA 1978, licensing landscape architects and landscape architects in training;~~

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~~(27) the 1999 Public Accountancy Act, Chapter 61, Article 28B NMSA 1978, licensing certified public accountants and registered public accountants;~~

~~(28) Chapter 61, Article 29 NMSA 1978, licensing real estate brokers and associate brokers;~~ ←SFC

SFC→(29)←SFC SFC→(24)←SFC the Real Estate Appraisers Act, Chapter 61, Article 30 NMSA 1978, licensing real estate appraisers and real estate appraiser trainees;

SFC→(30)←SFC SFC→(25)←SFC the Social Work Practice Act, Chapter 61, Article 31 NMSA 1978, licensing bachelors of social work, clinical social workers, independent social workers and masters of social work;

SFC→(31)←SFC SFC→(26)←SFC the Funeral Services Act, Chapter 61, Article 32 NMSA 1978, licensing direct disposers, embalmers, funeral arrangers, funeral service interns and funeral service practitioners; and

SFC→(32)←SFC SFC→(27)←SFC the Utility Operators Certification Act, Chapter 61, Article 33 NMSA 1978, licensing utility operators of one or more classifications of public water supply systems.

SFC→SECTION 2. APPROPRIATION.--~~One million dollars (\$1,000,000) is appropriated from the general fund to the regulation and licensing department for expenditure in fiscal years 2024 through 2027 to offset lost revenue for those~~

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~~boards, commissions and other departments that depend on licensing fees to support their regulatory and enforcement activities and that certify to the department that their licensing funds or appropriations are insufficient to carry out those activities without additional monetary support. Any unexpended or unencumbered balance remaining at the end of fiscal year 2027 shall revert to the general fund.~~←SFC

SECTION SFC→3.←SFC SFC→2.←SFC EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2023.

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