

1 HOUSE BILL 452

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Joanne J. Ferrary and Susan K. Herrera and Micaela Lara Cadena  
5 and Doreen Y. Gallegos  
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10 AN ACT

11 RELATING TO EMPLOYMENT; INCLUDING VETERINARIANS IN THE  
12 DEFINITION OF "HEALTH CARE PRACTITIONER" FOR THE PURPOSE OF  
13 MAKING CERTAIN PROVISIONS IN HEALTH CARE PRACTITIONER  
14 AGREEMENTS VOID, UNENFORCEABLE AND AGAINST PUBLIC POLICY.  
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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

19 "24-1I-1. DEFINITIONS.--As used in Chapter 24, Article 1I  
20 NMSA 1978:

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

23 B. "health care practitioner" means:

24 (1) a dentist;

25 (2) an osteopathic physician;

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- 1 (3) a physician;
- 2 (4) a podiatrist;
- 3 (5) a certified registered nurse anesthetist;
- 4 (6) a certified nurse practitioner; ~~and~~
- 5 (7) a certified nurse-midwife; and
- 6 (8) a veterinarian."

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

9 "24-1I-5. APPLICABILITY.--

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

14 B. Except as provided by ~~[Subsection C]~~ Subsections  
15 C and D of this section, the provisions of Chapter 24, Article  
16 1I NMSA 1978 apply to agreements, or renewals or extensions of  
17 agreements, executed on or after July 1, 2015.

18 C. The provisions of Subsection B of Section  
19 24-1I-2 NMSA 1978 apply to agreements, or renewals or  
20 extensions of agreements, executed on or after ~~[the effective~~  
21 ~~date of this 2017 act]~~ April 6, 2017.

22 D. For veterinarians, the provisions of Chapter 24,  
23 Article 1I NMSA 1978 apply to agreements, or renewals or  
24 extensions of agreements, executed on or after the effective  
25 date of this 2023 act."

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