

LFC Requester:	Lance Chilton
-----------------------	----------------------

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: January 23, 2025 *Check all that apply:*
Bill Number: SB 12 Original Correction
 Amendment Substitute

Sponsor: Sen. Antoinette Sedillo Lopez **Agency Name and Code** University of New Mexico-952
Out-of-State Telehealth **Number:** _____
Short Title: Providers **Person Writing** Kelly O'Donnell
Phone: 5056595702 **Email:** kodonnell@unm.edu

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: SB 46 (Trujillo)
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Expands the scope of the New Mexico Telehealth Act by: authorizing out-of-state health care providers who do not have a New Mexico Telehealth License to provide second opinions and consultations for prospective treatment to patients in New Mexico; and by allowing more types of health care providers, including certified peer support workers or other health care professionals with a Medicaid provider ID from the Health Care Authority to provide telehealth services.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

1. The requirement that the consultation be for a “second opinion” creates complexity and administrative hurdles. The bill indicates it second opinions are for diagnoses already made by a practitioner licensed in NM, but many consultations end up being long term relationship as the consultant takes over the care of that problem.
2. The bill does not require that the provider of the second opinion be of the same specialty as the first opinion. Therefore, a physical therapist or chiropractor can give the second opinion for back pain that was initially diagnosed by a physician.
3. The lack of a NM license for practitioners issuing a second opinion means that there is no way to guarantee that the of the out-of-state practitioners meet New Mexico’s training and continuous learning requirements. For example, some states are license individuals who have not trained in the US, or have only 1 year of residency training.
4. An NM telehealth license should be required so that the identity and training of the practitioner can be verified.
5. The opportunity to have an initial visit with an out of state provider via telehealth to determine whether there would be benefit in travelling out of state for care could be beneficial for patients.
6. Allowing Medicaid-authorized providers to treat patients via telehealth improves access to care

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

The bill should require that the practioners providing the initial and second opinions be of the same specialty.

A New Mexico telehealth license should be required so that the identity and training of the practitioner can be verified.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

Responses received from:

Betty Chang, MDCM, PhD, FACP
Sr. Associate Dean for Clinical Affairs
Professor of Internal Medicine, Pulmonary and Critical Care
School of Medicine - Internal Medicine

Jennifer Phillips, MD
Professor and Associate Chair in Department of Family and Community Medicine Interim CMO
UNM Medical Group
School of Medicine- Family & Community Medicine