



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2026 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: January 16 2026

Bill No: HB34

Committee Referrals: HPREF

Sponsor: Garratt

Agency Name and Code: PED - 924

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Short: SCHOOL NURSES
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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	N/A	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: None

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 34 (HB34) would provide technical fixes to [House Bill 195](#) (HB195 (2025)) to clarify what the licensure requirements are for school nurses. The bill would amend the [School Personnel Act](#) by removing certain licensure requirements for school nurses and would clarify that the provisions of the bill include school nurses employed by charter schools.

This bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective May 20, 2026.

FISCAL IMPLICATIONS

This bill does not contain an appropriation.

SIGNIFICANT ISSUES

In 2025, the Governor HB195, which established new criteria for school nurse licensure advancement, a three-tier licensure system for school nurses in state statute, and tied minimum school nurse salaries at each licensure tier to minimum teacher salaries.

Level two school nurses. HB195 (2025) established a pathway for nurses with three years of experience, outside of school nursing, to qualify for level two school nurse licensure rather than being required to hold a level one school nurse license for three years. HB34 would remove contradictory language from statute that stated that level two licenses are granted to *school* nurses and would further differentiate the two qualification options for level two licensure: demonstrate either satisfactory progress as a level one school nurse, *or* three years or more of satisfactory registered nursing experience. The ability to provide an initial school nurse license at level two, may support recruitment and retention of school nurses.

Evaluation. The language requiring verification of a satisfactory evaluation for level two and level three school nurses under the highly objective unified statewide standard of evaluation would also be removed by the bill. Demonstration of competencies would still be required for those licensure levels, but the bill would no longer specify competency evaluation methods. The bill also removes the superintendent evaluation of a nurse for licensure. Superintendents may not have the knowledge and experience to be able to appropriately evaluate implementation of school nurse competencies.

[The American Academy of Nurses](#) recommends having at least one registered nurse (RN) in every school. Due to a lack of RNs, particularly in rural areas, it is common for school districts to contract nursing services through Regional Education Cooperatives (RECs), sharing full-time school nurse positions with other small school districts. Additionally, some school districts employ supervised licensed practical nurses, health assistants, and contracted nurses in addition to, or instead of, RNs. According to the [FY24 Annual School Health Services Report](#), published by PED and the Department of Health, at least 27 percent of school districts and charter schools in New Mexico did not have a school nurse in 2024. An additional 33 percent of school districts and charter schools were only able to employ one part- or full-time school nurse.

PERFORMANCE IMPLICATIONS

In a 2019 literature review, [Yoder](#) found that along with the benefits having a school nurse provides to students in addressing their health concerns, they also help to reduce absenteeism and missed class time. Further, without a nurse on campus, [administering medications often falls to untrained school personnel](#). Removing statutory barriers to hiring new school nurses, especially in rural areas, may support student attendance and help students with health issues remain in school.

ADMINISTRATIVE IMPLICATIONS

PED would need to amend Rule 6.63.2 NMAC, Licensure for School Nurses, Grades K-12, to conform to the requirements of the bill.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Not enacting this bill would lead to continued misunderstanding of school nurse licensure requirements. Additionally, not enacting this bill would lead to superintendents without appropriate training and experience evaluating school nurse competencies.

AMENDMENTS

None.