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AGENCY BILL ANALYSIS
2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

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{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

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

Click all that apply:

Original Amendment
Correction Substitute

Date
Prepared: 2026-01-20
Bill No: HB34

Sponsor: Garratt, Joy
Short Title: SCHOOL NURSE LICENSURE PROVISIONS

Agency Name
and Code NMHED
Number:
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue	Recurring	Fund Affected

FY26	FY27	FY28	or Nonrecurring	
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

House Bill 34 (HB34) revises the School Personnel Act to update school nurse licensure at levels one, two, and three and to apply those requirements to nurses employed by both school districts and charter schools. The bill removes licensure by reciprocity, eliminates redundant competency provisions, and refocuses level three licensure on essential nursing competency rather than leadership.

Level one remains a three-year provisional license with mentorship and annual evaluation requirements. Level two and level three continue as nine-year licenses, with clarified competency standards and remediation requirements; repeated failure to demonstrate essential competency may result in non-renewal of contract.

The New Mexico Higher Education Department's (NMHED) analysis of this bill focuses on the higher education implications of the proposed legislation. Additional insight may be obtained from other agencies' analyses.

FISCAL IMPLICATIONS

There is no appropriation with this bill. The budgetary requirements of providing mentors for level one nurses are not defined in the bill. The bill aligns school nurse salaries with those of educators.

SIGNIFICANT ISSUES

New Mexico faces a shortage of school nurses. The *2023-2024 New Mexico Annual School Health Services Report* indicates that twenty seven percent (27%) of New Mexico's schools do not have any school nurse, and one in three districts only have one nurse or a part-time nurse covering multiple schools. School nurses play a critical role in student success.

HB34 allows level one nurses with an associate or bachelor's degree in nursing to serve as school nurses under mentorship. To advance to level two, a level one nurse must demonstrate satisfactory competency; however, the bill removes the provision stating that a nurse "shall not be granted a level two license" if standards are not met. As a result, it is unclear what consequences apply if a level one nurse fails to demonstrate competency for level two licensure.

HB34 also removes portions of the evaluation criteria for level two and level three school nurse licenses, leaving uncertainty about what evaluation framework will govern advancement.

This bill primarily effects the New Mexico Public Education Department (NMPED). Although it may impact graduates with nursing degrees who choose to work in school environments, this bill does not present any substantive issues for NMHED or New Mexico's public colleges and universities.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If HB34 does not pass, then licensure requirements governing school nurses in New Mexico will not change.

AMENDMENTS

N/A

