

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

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SECTION I: GENERAL INFORMATION

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

Date Prepared: 1.29.2026 *Check all that apply:*
Bill Number: House Bill 211 Original Correction
 Amendment Substitute

Sponsor: <u>Rep. Elizabeth "Liz" Thomson</u>	Agency Name and Code Number: <u>Regulation & Licensing Dept. (RLD), 420</u>
Short Title: <u>Speech-Language Pathology License</u>	Person Writing: <u>Jen Rodriguez</u>
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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

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
N/A	Unknown*	Unknown*	Recurring	Speech Audiology Fund

(Parenthesis () indicate revenue decreases)

*The Regulations and Licensing Department anticipates that HB 211 will increase revenue by providing for a new license type that is in-demand in other states, however, it is not clear how much demand for this license type exists in New Mexico.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	300.0	N/A	300.0	Nonrecurring	Speech Audiology Fund

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 211 (HB 211)

House Bill 211 (HB 211) amends the New Mexico Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act (Act), §61-14B-1 NMSA 1978 *et seq* by creating a new license type for speech-language pathology assistants (SLPA) and eliminating the current apprentice in speech and language license (ASL) over the next two (2) years (effective January 1, 2028). HB 211 also defines the scope of practice, supervision required, and licensing requirements for a SLPA under the Act. HB 211 is substantially similar to 2025 House Bill 180 but addresses some key concerns that arose during the Legislature’s consideration of the 2025 bill.

Currently, the ASL license is a progressive license requiring an applicant to be working towards a master’s degree in communication disorders or speech-language pathology to receive the apprentice license and show progression towards graduation with a master’s degree in order to renew the apprentice license. The new SLPA license would allow for a professional, terminal license that requires graduation from an accredited SLPA program. HB 211 provides three (3) pathways for licensure as an SLPA: (1) Graduation, examination, and clinical supervision; (2) active certification as an SLPA from a nationally recognized certification body and a jurisprudence exam; and (3) expedited licensure.

Under the terms of HB 211 those who currently hold an ASL will have time to transition to another license type, either by completing their master’s program and progressing to a clinical fellow of speech-language pathology, and then a speech-language pathologist, or by obtaining a SLPA license.

Summaries by Bill Section:

Section 1 amends the School Personnel Act, §§ 22-10A-1 through 40.1 NMSA 1978, §22-10A-17, Instructional Support Provider Licenses, adding SLPA’s to the list of instructional support providers who must be licensed by the Public Education Department. It clarifies that all instructional support providers must meet department licensing requirements and, if they practice a licensed profession, must maintain that underlying professional license.

Section 2 revises § 61-14B-2, Definitions, of the Act. It updates terminology for audiologists, clinical fellows, and speech-language pathologists to emphasize meeting statutory requirements rather than “engaging” in practice. It adds a new definition for

speech-language pathology assistant as one who “meets the requirements to assist in the practice of speech-language pathology.”

Section 3 creates a new section of the Act, outlining the scope of practice for SLPA’s. They may perform administrative, clerical, screening, documentation, telepractice support, augmentive and alternative communication (AAC) device instruction, and support feeding/swallowing evaluations under supervision. Supervisors remain legally and ethically responsible for patient care. SLPA’s are prohibited from diagnosing, interpreting tests, creating treatment plans, independently treating certain medically complex patients, discharging patients, or making referrals. The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Board (Board) will promulgate rules detailing permitted and prohibited procedures for SLPA’s.

Section 4 modifies § 61-14B-9 of the Act, changing the composition of the Board. The Board will still have eleven (11) members, but the one (1) otolaryngologist seat is replaced with a speech-language pathology assistant member. Other membership categories remain the same.

Section 5 creates a new section of the Act, describing the licensing requirements for SLPA’s. This includes the completion of a nationally accredited SLPA program, passage of a national SLPA exam, and at least one hundred (100) supervised clinical hours under an SLP. Alternatively, an SLPA can be licensed by having an active certification as an SLPA from a nationally recognized certification body and passing jurisprudence exam. Currently, the national certification body is the American Speech-Language-Hearing Association (ASHA).

Section 6 creates a new section of the Act that sets supervision rules for SLPA’s. Supervisors must consent in writing, be licensed by the Board, and complete at least two (2) hours of supervision training before they can qualify to offer supervision. Supervisors may oversee no more than two (2) full-time or three (3) part-time assistants. Further, supervisors are responsible for the entire caseload; SLPA’s do not have their own caseload. Supervisors must be present at the first and last contact with each patient, provide the correct supervision given the SLPA’s skills and experience, and the needs of the patient.

Section 7 amends § 61-14B-16.1 of the Act, allowing expedited licensure for SLPA’s, in addition to speech-language pathologists, audiologists, and hearing aid dispensers. Expedited licenses must be issued within thirty (30) days if applicants hold a valid license in good standing in an approved jurisdiction. The Board must maintain lists of approved and disapproved jurisdictions.

Section 8 adds SLPA’s to the fee schedule in § 61-14B-20 of the Act. SLPA license and renewal fees may not exceed one hundred dollars (\$100). Other professional fees remain unchanged.

Section 9 amends § 61-14B-2 Definitions of the Act, effective January 1, 2028. It incorporates the new SLPA terminology introduced in Section 2 of HB 211 and removes obsolete apprentice-related language.

Section 10 removes renewal provisions for ASL’s of § 61-14B-19 of the Act, as of January

1, 2028, and renumbers the remaining subsections.

Section 11 repeals and reenacts the fee statute § 61-14B-20 of the Act, effective January 1, 2028, removing ASL references and retaining SLPA fees and other existing fee limits.

Section 12 repeals the statutory provisions governing the ASL license, effective January 1, 2028. § 61-14B-3.1 Scope of Practice; Apprentice in Speech and Language, and § 61-14B-15.1 Requirements for licensure, Apprentice in Speech and Language of the Act. This allows a transition period before apprenticeships are eliminated, and ASL license holders will have time to move to another license type.

Section 13 provides effective dates of HB 211 with Sections 1-8 taking effect on July 1, 2026, and Sections 9-11 taking effect on January 1, 2028, consistent with the gradual phase-out of the ASL license.

FISCAL IMPLICATIONS

The Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Board is administratively attached to the Regulation and Licensing Department (RLD) per statute. A direct fiscal impact is anticipated for the RLD if HB 211 is enacted. Necessary additions and updates would have to be made to the NM Plus online licensing system that is utilized by the RLD for all licensing under the Act. Contracting fees for information technology development and implementation of the necessary changes to the NM Plus licensing system to implement the new license application and supervisory requirements are estimated to be three hundred thousand (\$300,000) in FY27. This funding is not included within the RLD's requested budget for FY27 and this cost could not be absorbed by the RLD within its FY27 budget; an additional appropriation of funds would be required.

An administrative rulemaking process, including a public hearing and all required publication of notices and proposed rules, would be required to update and amend current administrative rules issued pursuant to the Act if HB 211 is enacted. The RLD believes it can absorb the costs associated with the rulemaking processes for this bill within existing resources.

SIGNIFICANT ISSUES

New license types require significant software and database upgrades and testing. The SLPA license should be built with integrated supervisor approval. This is not available in the current system. The RLD requests an extension of the effective date of Sections 1-11 of HB 211 until January 1, 2027, to ensure that this application is available online in the NM Plus online licensing system utilized for all licensing by the Board when the new requirements of the bill go into effect. [This suggestion is reiterated in the "Amendments" section, below.]

PERFORMANCE IMPLICATIONS

The Board has indicated strong support for HB 211. Attached is the letter of support that the Board unanimously voted to adopt.

The Board believes the provisions of HB 211 will improve access to patient care by improving access to speech therapy by creating a speech therapy assistant license accessible to obtain for both native New Mexicans who hold a bachelor's degree in communication disorders, and attractive to current SLPA license holders who come from out of state. An additional license will increase economic opportunities for those not interested in pursuing a graduate-level degree. All the

surrounding states have a speech therapy assistant license (Arizona, Colorado, Texas, Utah, Oklahoma). Not enacting the bill may result in New Mexico being viewed as a less desirable state for potential licensees and current license holders to practice in. There is a need for expanding accessibility for speech therapy in the state, as well as stimulating economic growth. Both are anticipated positive consequences of enacting HB 211.

ADMINISTRATIVE IMPLICATIONS

As noted in the “Fiscal Implications” section (above) enactment of HB 211 would necessitate an administrative rulemaking process to be conducted by the Board to adopt rules in accordance with the bill. A new license type requires an enhancement to the current NM Plus online licensing system that is expected to involve contracting expenses of three hundred thousand dollars (\$300,000) in FY27.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 211 is substantially similar to 2025’s House Bill 180 but addresses some key concerns and changes requested by the RLD in 2025, namely, that there be a transition period for the ASL license elimination and changing the composition of the Board (Section 4).

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

As written, HB 211 appears to exempt an SLPA who comes in by the graduation, examination, and clinical supervision pathway from taking and passing the jurisprudence exam. Currently, all licenses under this Board must pass the jurisprudence exam. It is not clear if this was an intentional omission or just an oversight. Further, the Board is not prohibited from requiring the jurisprudence exam for all SLPA applicants by promulgating rules to that effect.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Without passing this legislation, the state of New Mexico may be seen as being less competitive, compared to the surrounding states (Arizona, Utah, Colorado, Texas, and Oklahoma) that provide for SLPA licenses. Additionally, there will likely be economic repercussions due to lack of healthcare providers and continued lack of health care accessibility in underserved and rural areas if the bill is not enacted.

AMENDMENTS

New license types require significant software and database upgrades and testing. The SLPA license should be built with integrated supervisor approval. This is not available in the current system. The RLD requests an extension of the effective date of Sections 1-8 until January 1, 2027, to ensure that this application is available online in the NM Plus system as of the effective date.

Subject: Letter of Support for New Mexico Speech-Language Pathology Assistants

To Whom It May Concern,

I am writing on behalf of the New Mexico Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board to express our unanimous support for the New Mexico Speech-Language-Hearing Association's (NMSHA) efforts to pursue adding a speech-language pathology assistant license to the state of New Mexico.

The New Mexico Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board is committed to the highest standards of professional practice and ethical conduct of speech language pathologists, audiologists, and hearing aid dispensers, and is aware of a great need to improve accessibility of speech therapy throughout the Land of Enchantment. By adding a license for speech-language pathology assistants, New Mexico will improve access to care by making licenses more easily accessible to obtain for both native New Mexicans who hold a Bachelor's degree and attractive to current license holders who come from out of state.

We believe that the addition of speech-language pathology assistants will not only facilitate the mobility of professionals to deliver vital services to the diverse needs of New Mexicans but will also foster a stronger network of professionals throughout our state, dedicated to improving communication disorder services. Further, an additional license will increase economic opportunities for those not interested in pursuing a graduate-level degree.

The New Mexico Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board recognizes the importance of improving access to care in communication disorders, and we are confident that a new license for speech-language pathology assistants will significantly contribute to the achievement of these shared goals.

Thank you for considering our letter of support. The New Mexico Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board looks forward to witnessing the positive impact of the adding a speech-language pathology assistant licensure in our state.

Sincerely,



James Decker, Au.D. CCC-A/SLP
Chair, Professional Member

New Mexico Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board

