

<b>LFC Requester:</b>	<b>Noah Montano</b>
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**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

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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:** 2/3/2026 *Check all that apply:*  
**Bill Number:** HB252 Original  Correction   
 Amendment  Substitute

**Sponsor:** Art De La Cruz and Antonio Maestas **Agency Name and Code Number:** New Mexico Medical Board-446  
**Person Writing Analysis:** Monique Parks, Interim Exec. Director  
**Short Title:** Transfer Athletic Commission Authority **Email:** moniquem.parks@nmmb.nm.gov  
**Requiring:** \_\_\_\_\_ **Phone:** 505-490-3903 : mb.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

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

<b>Total</b>						
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(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**

Synopsis:

HB252 amends the Professional Athletic Competition Act to modify various provisions relating to unarmed combat contests. It transfers jurisdiction over unarmed combat contests from the New Mexico Athletic Commission to the Regulation and Licensing Department. It alters the membership of the New Mexico Athletic Commission and its duties. It removes the Medical Advisory Board and includes language change replacing “physicians” with the broader and undefined term “medical professional.”

**FISCAL IMPLICATIONS**

None for The New Mexico Medical Board

**SIGNIFICANT ISSUES**

The Medical Advisory Board was intentionally structured to consist of licensed physicians with a minimum of five years of clinical experience, reflecting the Legislature’s recognition that physician-level medical expertise is necessary to safeguard the physical and mental health of professional athletes. Eliminating this board removes a critical layer of medical oversight designed to protect the safety of professional athletes and the public.

The New Mexico Medical Board (NMMB) notes the change replacing “physicians” with the broader and undefined term “medical professional.”

The term “medical professional” is not defined in New Mexico statutes. The absence of a statutory definition creates ambiguity regarding qualifications and scope of practice. It is unclear whether this term would include individuals such as sleep technologists, dentists, social workers, or other licensed or unlicensed practitioners. While New Mexico law defines “health care provider” in multiple statutory contexts, no comparable definition exists for “medical professional.” For example,

NM Stat § 52-4-1 (2024)

As used in Chapter 52 NMSA 1978, "health care provider" means:

A. a hospital maintained by the state or a political subdivision of the state or any place currently licensed as a hospital by the department of health that has:

A. accommodations for resident bed patients;

- B. a licensed professional registered nurse always on duty or call;
  - C. a laboratory; and
  - D. an operating room where surgical operations are performed;
- B. an optometrist licensed pursuant to the provisions of Chapter 61, Article 2 NMSA 1978;
- C. a chiropractic physician licensed pursuant to the provisions of Chapter 61, Article 4 NMSA 1978;
- D. a dentist licensed pursuant to the provisions of Chapter 61, Article 5 NMSA 1978;
- E. a physician licensed pursuant to the provisions of Chapter 61, Article 6 NMSA 1978;
- F. a podiatrist licensed pursuant to the provisions of Chapter 61, Article 8 NMSA 1978;
- G. an osteopathic physician licensed pursuant to the provisions of Chapter 61, Article 10 NMSA 1978;
- H. a physician assistant licensed pursuant to the provisions of Section 61-6-7 NMSA 1978;
- I. a certified nurse practitioner licensed pursuant to Section 61-3-23.2 NMSA 1978;
- J. a physical therapist licensed pursuant to the provisions of Chapter 61, Article 12 NMSA 1978;
- K. an occupational therapist licensed pursuant to the provisions of Chapter 61, Article 12A NMSA 1978;
- L. a doctor of oriental medicine licensed pursuant to the provisions of Chapter 61, Article 14A NMSA 1978;
- M. an athletic trainer licensed pursuant to the provisions of Chapter 61, Article 14D NMSA 1978;
- N. a psychologist who is duly licensed or certified in the state where the service is rendered, holding a doctorate degree in psychology and having at least two years of clinical experience in a recognized health setting, or who has met the standards of the national register of health services providers in psychology;
- O. a certified nurse-midwife licensed by the board of nursing as a registered nurse and registered with the behavioral health services division of the human services department [health care authority department] as a certified nurse-midwife;
- P. a pharmacist licensed pursuant to the provisions of Chapter 61, Article 11 NMSA 1978; or
- Q. any person or facility that provides health-related services in the health care industry, as approved by the director.

The NMMB questions whether use of any “health care professional” provides for the safety of athletes in this area.

This lack of clarity raises significant public protection concerns, particularly in settings where medical evaluations, determinations of fitness to compete, and recommendations affecting athlete safety are required.

The NMMB recommends

1. Continued oversight by a medical advisory board.
2. Statutory language affecting medical oversight (monitoring and evaluating participants) should identify the qualifications, licensure, and scope of practice required to safely and competently perform these functions.

#### **PERFORMANCE IMPLICATIONS**

None for The New Mexico Medical Board

#### **ADMINISTRATIVE IMPLICATIONS**

None for The New Mexico Medical Board

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None for The New Mexico Medical Board

#### **TECHNICAL ISSUES**

None for The New Mexico Medical Board

#### **OTHER SUBSTANTIVE ISSUES**

None for The New Mexico Medical Board

#### **ALTERNATIVES**

None for The New Mexico Medical Board

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None for The New Mexico Medical Board

#### **AMENDMENTS**

None for The New Mexico Medical Board