

LFC Requestor: Self

2026 LEGISLATIVE SESSION  
AGENCY BILL ANALYSIS

Section I: General

Chamber: Senate

Category: Bill

Number: 164

Type: Introduced

Date (of THIS analysis): 1/28/2026

Sponsor(s): Woods

Short Title: Transferring Ambulance Regulation to the Department of Health

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 26	FY 27		
\$0	\$100	Nonrecurring	General Fund

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 26	FY 27	FY 28		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 26	FY 27	FY 28	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$197	\$197	\$394	Recurring	General Fund

Personnel

Senior Compliance Officer; Pay Band 7; \$33.22/hr x 2,080 x 1.36 = \$93,973

Lead Compliance Officer; Pay Band 8; \$36.54/hr x 2,080 x 1.36 = \$103,364

**Total Staff Cost: \$197,337**

### **Section III: Relationship to other legislation**

Duplicates: None.

Conflicts with: None.

Companion to: None.

Relates to: None.

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

### **Section IV: Narrative**

#### **1. BILL SUMMARY**

##### **a) Synopsis**

Senate Bill 164 proposes to transfer responsibility for administering and enforcing the Ambulance Standards Act from the Department of Transportation (DOT) to the Department of Health (DOH) Center for Health Protection, effective January 1, 2027. The bill recompiles the Ambulance Standards Act into the Health Code (Title 24) and establishes an ambulance certification program within DOH to regulate ground ambulance services, including certification, service territories, tariffs and rates, terms of service, enforcement, and administrative hearings.

SB164 includes various proposed revisions to the Ambulance Standards Act, most of which consist of standards that currently apply to DOT's ground ambulance certification program under the NM Motor Carrier Act, Sections 65-2A-1 through -39, NMSA 1978. These include provisions regarding agency duties in certificating ambulance services (Section 9), ambulance service requirements (Section 10), requirements of the ambulance certification program (Section 11), territorial endorsements to a certificate (Section 12), the granting of temporary authority to operate an ambulance service (Section 13), objections and protests (Section 14), and tariffs and rates (Section 15).

The bill also includes various amendments to the Emergency Medical Services Act (EMS Act), Sections 24-10B-1 through -13. These primarily include provisions to identify the role of the NM DOH Emergency Medical Systems Bureau (EMS Bureau) in regulating ambulance services under the Ambulance Standards Act. The EMS Act amendments include (at Section 5) modifications to the membership of certain EMS committees; clean-up text (also at Section 5) concerning mileage and reimbursement for EMS Licensing Commission members; and a new subpoena section (at Section 6) to

identify the authority of the EMS Bureau to subpoena records and witnesses. The bill at Section 18 would also create a subpoena section within the Ambulance Standards Act, as Section 24-10F-14, NMSA 1978. These two proposed subpoena sections are closely identical, in anticipation that the EMS Bureau's investigations could be dual investigations of both EMT licensees and the ambulance services for whom those EMTs work.

Is this an amendment or substitution?  Yes  No

Is there an emergency clause?  Yes  No

**b) Significant Issues**

Ambulance services are an essential component of the emergency medical services (EMS) system and directly affect patient safety, access to care, and health system capacity, particularly in rural and frontier areas of New Mexico. While DOT has historically regulated ambulance services as a transportation function, SB164 recognizes that ambulance operations are inherently a health and patient-care service and should be regulated within a public health and EMS framework.

Placing ambulance certification and oversight within DOH aligns ambulance service regulation with EMS licensure, medical direction, trauma system requirements, and statewide EMS data systems. This integration improves regulatory coherence, supports patient-centered oversight, and enhances coordination across pre-hospital care, interfacility transport, and emergency response systems.

SB164 also modernizes and clarifies regulatory processes by establishing clear standards for certification, public notice, objections and protests, hearings, tariff approval and transparency, and enforcement authority. These provisions provide due process protections for regulated entities while ensuring that ambulance services are safe, financially responsible, and responsive to demonstrated public need.

**2. PERFORMANCE IMPLICATIONS**

- Does this bill impact the current delivery of NMDOH services or operations?  
 Yes  No

The bill assigns DOH responsibility for administering and enforcing the Ambulance Standards Act. This represents a transfer of existing regulatory functions rather than the creation of a new service and allows DOH to integrate ambulance oversight with existing EMS regulatory and clinical oversight activities.

- Is this proposal related to the NMDOH Strategic Plan?  Yes  No

The proposed legislation would contribute to DOH's Strategic Priority Areas 1 – **Access and Linkage to Health Care** and 2 - **Improve Health Outcomes through Data Driven Decisions** ([FY25-FY27 Strategic Plan Update](#)).

**3. FISCAL IMPLICATIONS**

- If there is an appropriation, is it included in the [Executive Budget Recommendation](#)?

Yes  No  N/A

- If there is an appropriation, is it included in the [LFC Budget Recommendations](#)?

Yes  No  N/A

- Does this bill have a fiscal impact on NMDOH?  Yes  No

The fiscal impact is limited to one-time implementation, transition costs associated with assuming regulatory authority from DOT, and additional staff required to conduct administrative oversight.

#### **4. ADMINISTRATIVE IMPLICATIONS**

Will this bill have an administrative impact on NMDOH?  Yes  No

DOH will assume responsibility for ambulance certification, tariff review, adjudicatory hearings and enforcement. SB164 includes transition provisions to transfer staff, records, and contracts, minimizing disruption and administrative burden.

#### **5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP**

None.

#### **6. TECHNICAL ISSUES**

Are there technical issues with the bill?  Yes  No

#### **7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)**

- Will administrative rules need to be updated or new rules written?  Yes  No  
DOH will adopt or amend rules to implement the Ambulance Standards Act within the Health Code.
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)?  Yes  No
- Does this bill conflict with federal grant requirements or associated regulations?  
 Yes  No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs?  Yes  No

#### **8. DISPARITIES ISSUES**

None.

#### **9. HEALTH IMPACT(S)**

SB164 would place the responsibility to regulate ambulance services within the Department of Health's EMS Bureau. Given that the EMS Bureau regulates virtually all other aspects of emergency medical services within the state, it is anticipated that there will be substantial

overlap between the certification of ambulance services and the Bureau's other work. For example, investigations into EMT misconduct will likely overlap with inquiries into practices of ambulance services. In this way, the regulation of EMS in NM will be more integrated within NMDOH and the EMS Bureau, which may improve the Bureau's ability to respond to agency-specific and systemic issues impacting public health in New Mexico.

By aligning ambulance service regulation with EMS clinical oversight, SB164 supports patient safety, continuity of care, and timely access to emergency and interfacility medical transport.

**10. ALTERNATIVES**

None.

**11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

If SB164 is not adopted, the Ambulance Standards Act and EMS Act will not be amended to transfer regulatory authority over ambulance services from the Department of Transportation to the Department of Health. EMS and Ambulance services will continue to be operated by separate state agencies.

**12. AMENDMENTS**

None.