

LFC Requester:

Harry Rommel

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

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

Date Prepared: 2/5/2026

Check all that apply:

Bill Number: Senate Bill 229Original Correction Amendment Substitute Sponsor: Sen. Nicole TobiassenAgency Name
and CodeRegulation & Licensing
Department (RLD), 420Short Allow Auricular Acupuncture

Number:

Person Writing

Jen RodriguezPhone: 505.623.1701Email Jen.rodriguez@rld.nm.gov**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	N/A	N/A	N/A	N/A

(Parenthesis () indicate revenue 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

Synopsis: Senate Bill 229 (SB 229)

SB 229 would exempt licensed physicians from the requirement that they be licensed under the Acupuncture and Oriental Medicine Practice Act, §§ 61-14A-1 through -21, NMSA 1978 (Act), to practice auricular acupuncture, also known as ear acupuncture.

The physician's practice of ear acupuncture would be required to be consistent with the scope of practice permitted by their medical license.

The effective date of Senate Bill 229 is May 20, 2026.

FISCAL IMPLICATIONS

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 SB 277 is enacted. The Regulation and Licensing Department (RLD) believes it can absorb the costs associated with the rulemaking processes for this bill within existing resources. *See also* "Administrative Implications".

SIGNIFICANT ISSUES

RLD contacted the Board of Acupuncture and Oriental Medicine (Board) regarding SB 229. The Board members were not aware of this legislation until today (2/5/2026). There is not a consensus among Board members on how to address this legislation, and the Board would need to meet in an open meeting to discuss the matter. Therefore, the Board cannot provide a position on SB 229.

There has been concern expressed regarding overlapping scopes of practice between healthcare professions and the implications for both access to care and the health and safety of the public.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

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 SB 277 is enacted. The RLD believes it can absorb the costs associated with the rulemaking processes for this bill within existing resources.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS