

HOUSE BILL 34

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO SCHOOL PERSONNEL; CHANGING LICENSURE PROVISIONS FOR SCHOOL NURSES; CLARIFYING THAT PROVISIONS INCLUDE SCHOOL NURSES EMPLOYED BY CHARTER SCHOOLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-10A-8.2 NMSA 1978 (being Laws 2025, Chapter 150, Section 3) is amended to read:

"22-10A-8.2. SCHOOL NURSES--LEVEL ONE LICENSURE.--

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A. A level one license is a provisional three-year license for beginning registered nurses who do not have at least three years of nursing experience satisfactory to the department prior to being licensed as a school nurse and that requires as a condition of licensure that the licensee undergo a formal mentorship program for at least one full school year and an annual intensive performance evaluation by a HHHC→level two or←HHHC level three school nurse HHHC→; ~~provided that the department shall promulgate rules for mentorship and evaluation when a school district or charter school does not have a level three nurse.~~←HHHC HHHC→. If a school district or charter school does not have a level two or level three school nurse to perform the mentorship and evaluation for a level one school nurse, the school district or charter school shall defer to the department of health for guidance.←HHHC A registered nurse with at least three years of nursing experience satisfactory to the department is not required to serve as a level one school nurse.

B. Each school district or charter school, in accordance with department rules, shall provide for the mentorship and evaluation of level one school nurses. At the end of each year and at the end of the license period, the level one school nurse shall be evaluated for competency. If the school nurse fails to demonstrate satisfactory progress and competence annually, the school nurse may be terminated as

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provided in Section 22-10A-24 NMSA 1978. [~~If the school nurse has not demonstrated satisfactory progress and competence by the end of the three-year period, the school nurse shall not be granted a level two license.~~]

C. Except in exigent circumstances defined by department rule, a level one license shall not be extended beyond the initial period.

D. The department shall issue a standard level one license to an applicant who is at least eighteen years of age who:

(1) holds an associate or baccalaureate degree in nursing from an accredited educational institution;

(2) is licensed by the board of nursing as a registered nurse; and

(3) meets other qualifications for level one licensure, including clearance of the required background check.

E. The department shall establish competencies and qualifications for level one licensure.

F. The minimum salary for a level one school nurse is the same as that for a level one teacher [~~for a standard nine and one-half month contract~~].

G. After the issuance of a license, a license holder shall not be required to meet changed requirements to maintain the license until such time as the license expires and

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the license holder seeks renewal of the license."

SECTION 2. Section 22-10A-10.1 NMSA 1978 (being Laws 2025, Chapter 150, Section 4) is amended to read:

"22-10A-10.1. SCHOOL NURSES--LEVEL TWO LICENSURE.--

A. A level two license is a nine-year license granted to a [school] nurse who [~~is a registered nurse who holds a level one license~~]:

(1) has demonstrated satisfactory progress and competency as a level one school nurse; or

(2) has at least three years of registered nursing experience satisfactory to the department [~~and who meets the qualifications for level two licensure and who annually demonstrates essential competency to nurse~~].

B. If a level two school nurse does not demonstrate essential competency in a given school year, the school district or charter school shall provide the school nurse with additional professional development and mentorship during the following school year. If by the end of that school year the school nurse fails to demonstrate essential competency, a school district or charter school may choose not to contract with the school nurse.

~~[B. The department shall issue a level two license to an applicant who has served successfully as a school nurse at level one or who has at least three years of registered nursing experience or is granted reciprocity as provided by~~

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~~department rules. An applicant for a level two license shall:~~

~~(1) demonstrate essential competency required by the department as verified by the local superintendent through a highly objective uniform statewide standard of evaluation for school nurses; and~~

~~(2) meet other qualifications as required by the department.]~~

C. The minimum salary for a level two school nurse is the same as that for a level two teacher ~~[for a standard nine and one-half month contract]."~~

SECTION 3. Section 22-10A-11.11 NMSA 1978 (being Laws 2025, Chapter 150, Section 5) is amended to read:

"22-10A-11.11. SCHOOL NURSES--LEVEL THREE LICENSURE.--

A. A level three license is a nine-year license granted to a HHHC→**school**←HHHC nurse who meets the qualifications for that level ~~[and who annually demonstrates nursing leadership competencies]~~. If a level three school nurse does not demonstrate essential nursing ~~[leadership]~~ competency in a given school year, the school district or charter school shall provide the school nurse with additional professional development and mentorship during the following school year. If by the end of that school year the school nurse fails to demonstrate essential nursing ~~[leadership]~~ competency, a school district or charter school may choose not to contract with the school nurse.

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B. The department shall grant a level three license to an applicant who:

(1) has been a level two school nurse for at least three years ~~HHHC~~→or has at least three years of registered nursing experience←HHHC ;

(2) holds a post-baccalaureate degree or is certified by the national board for certification of school nurses; and

~~[(3) demonstrates nursing leadership competence as required by the department and verified by the local superintendent through a highly objective uniform statewide standard of evaluation; and~~

~~(4)]~~ (3) meets other qualifications for the license as determined by the department.

C. The minimum salary for a level three school nurse is the same as that for a level three-A teacher ~~[for a standard nine and one-half month contract]."~~

SECTION 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2026.

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