

HOUSE BILL 127

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

INTRODUCED BY

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AN ACT

RELATING TO LICENSING; REQUIRING THE NEW MEXICO MEDICAL BOARD TO GRANT EXPEDITED LICENSES TO PRACTICE MEDICINE TO QUALIFIED APPLICANTS; REQUIRING THE NEW MEXICO MEDICAL BOARD TO ESTABLISH A REGISTRY FOR OUT-OF-STATE TELEHEALTH PROVIDERS; REPEALING SECTION 61-6-11.1 NMSA 1978 (BEING LAWS 2001, CHAPTER 96, SECTION 10, AS AMENDED).

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

SECTION 1. Section 61-6-11 NMSA 1978 (being Laws 1923, Chapter 44, Section 3, as amended) is amended to read:

"61-6-11. PHYSICIAN LICENSURE.--

A. The board may consider for licensure a person who is of good moral character, is a graduate of an accredited United States or Canadian medical or osteopathic medical school, has passed an examination approved by the board and has

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1 completed two years of an approved postgraduate training
2 program for physicians.

3 B. An applicant who has not completed two years of
4 an approved postgraduate training program for physicians, but
5 who otherwise meets all other licensing requirements, may
6 present evidence to the board of the applicant's other
7 professional experience for consideration by the board in lieu
8 of the approved postgraduate training program. The board
9 shall, in its sole discretion, determine if the professional
10 experience is substantially equivalent to the required approved
11 postgraduate training program for physicians.

12 C. A graduate of a board-approved medical or
13 osteopathic medical school located outside the United States or
14 Canada may be granted a license to practice medicine in New
15 Mexico; provided that the applicant presents evidence to the
16 board that the applicant is a person of good moral character;
17 and provided further that the applicant presents satisfactory
18 evidence to the board that the applicant has successfully
19 passed an examination as required by the board and has
20 successfully completed two years of postgraduate medical
21 training in an approved postgraduate training program for
22 physicians.

23 D. An applicant who holds a license to practice
24 medicine without supervision that is in good standing and
25 issued in a country located outside the United States or Canada

1 may be granted a license to practice medicine in New Mexico;
2 provided that the applicant presents evidence to the board that
3 the applicant is a person of good moral character and has met
4 all other eligibility requirements for certification by the
5 educational commission for foreign medical graduates or its
6 successor organization.

7 E. A graduate of a medical school located outside
8 the United States who successfully completes at least two years
9 of an approved postgraduate training program for physicians at
10 or affiliated with an institution located in New Mexico prior
11 to December 30, 2007 and who meets the other requirements of
12 this section may also be granted a license to practice
13 medicine.

14 [D-] F. All applicants for licensure may be
15 required to appear personally before the board or a designated
16 agent for an interview.

17 [E-] G. An applicant for licensure by examination
18 shall not be granted a license if the applicant has taken the
19 examination in two or more steps and has failed to successfully
20 pass the final step within seven years of the date that the
21 first step was passed. An applicant for licensure who holds a
22 medical or osteopathic doctor degree and a doctoral degree in a
23 medically related field must successfully complete the entire
24 examination series within ten years from the date the first
25 step of the examination is passed. The board may, by rule,

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1 establish exceptions to the time requirements of this
2 subsection.

3 [F.] H. Every applicant for licensure under this
4 section shall pay the fees required by Section 61-6-19 NMSA
5 1978.

6 [G.] I. The board may require fingerprints and
7 other information necessary for a state and national criminal
8 background check."

9 SECTION 2. A new section of the Medical Practice Act,
10 Section 61-6-11.2 NMSA 1978, is enacted to read:

11 "61-6-11.2. [NEW MATERIAL] TELEHEALTH REGISTRY.--

12 A. The board shall establish a telehealth registry
13 in which a physician not licensed in this state may apply to
14 become registered as a telehealth provider.

15 B. The board shall register a physician not
16 licensed in this state as a telehealth provider if the
17 physician:

18 (1) submits an application in a form and
19 manner prescribed by the board;

20 (2) holds a full and unrestricted license to
21 practice medicine in another state or territory of the United
22 States;

23 (3) has not had a license to practice medicine
24 revoked or restricted in any state or jurisdiction;

25 (4) does not open an office in this state or

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1 interact with patients while located within this state;

2 (5) designates a duly appointed registered
3 agent for service of process in this state in a form and manner
4 prescribed by the board;

5 (6) demonstrates that the physician maintains
6 professional liability insurance that covers telehealth
7 provided to patients in this state; and

8 (7) pays all applicable fees provided in
9 Section 61-6-19 NMSA 1978.

10 C. The board shall publish on the board's website a
11 list of all out-of-state physicians who are registered to
12 provide telehealth in this state. The list shall include the
13 registered physician's:

14 (1) name;

15 (2) completed training and education,
16 including completion dates and any certificates or degrees
17 obtained;

18 (3) out-of-state license and license number;

19 and

20 (4) duly appointed registered agent for
21 service of process in this state, including the agent's name
22 and address.

23 D. A physician not licensed in this state may
24 provide health care to a patient located in this state using
25 telehealth if the physician:

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- (1) registers with the board; and
- (2) provides health care within the scope of practice for a physician under the Medical Practice Act.

E. A physician shall not be registered as a telehealth provider if the physician's license in another state or jurisdiction is subject to a pending disciplinary investigation or action or if the license has been suspended or revoked. A physician registered to provide telehealth in this state shall notify the board of any restrictions placed upon the physician's license or any disciplinary action taken or pending against the physician in any state or jurisdiction. Notification shall be provided within five business days of a restriction being placed or disciplinary action being taken.

F. The board may take disciplinary action, including suspension or revocation of registration as a telehealth provider, against an out-of-state physician registered pursuant to the provisions of this section if the physician:

(1) fails to notify the board of any adverse actions taken against the physician's license, as required under Subsection E of this section;

(2) has restrictions placed on or disciplinary action taken against the physician's license in any state or jurisdiction;

(3) commits any act that constitutes grounds

1 for disciplinary action under the Medical Practice Act; or
2 (4) violates any of the requirements of this
3 section.

4 G. For the purposes of this section, "telehealth"
5 means the use of electronic information, imaging and
6 communication technologies, including interactive audio, video
7 and data communications, as well as store-and-forward
8 technologies, to provide and support health care delivery,
9 diagnosis, consultation, treatment, transfer of medical data
10 and education."

11 SECTION 3. Section 61-6-13 NMSA 1978 (being Laws 1989,
12 Chapter 269, Section 9, as amended) is amended to read:

13 "61-6-13. PHYSICIAN EXPEDITED LICENSURE.--

14 A. The board ~~may~~ shall grant an expedited license
15 to a qualified applicant licensed in another state or territory
16 of the United States, the District of Columbia or a foreign
17 country as provided in Section 61-1-31.1 NMSA 1978. The board
18 shall process the application as soon as practicable but no
19 later than thirty days after the ~~out-of-state medical or~~
20 ~~osteopathic physician~~ applicant files an application for
21 expedited licensure accompanied by any required fee if the
22 applicant:

23 (1) holds a license that is current and in
24 good standing issued by another licensing jurisdiction
25 ~~approved by the board~~; and

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(2) has practiced medicine or osteopathy as a licensed physician for at least three years prior to filing an application.

B. If the board issues an expedited license to a person whose prior licensing jurisdiction did not require examination, the board may require a person to pass an examination before applying for license renewal.

C. [The board by rule shall determine those states and territories of the United States and the District of Columbia from which it will not accept an applicant for expedited licensure and shall determine any foreign countries from which it will accept an applicant for expedited licensure. The board shall post the lists of disapproved and approved licensing jurisdictions on the board's website. The list of disapproved licensing jurisdictions shall include the specific reasons for disapproval. The lists shall be reviewed annually to determine if amendments to the rule are warranted] The board may require fingerprints and other information necessary for a state and national criminal background check."

SECTION 4. Section 61-6-19 NMSA 1978 (being Laws 1989, Chapter 269, Section 15, as amended) is amended to read:

"61-6-19. FEES.--

A. Except as provided in Section 61-1-34 NMSA 1978, the board shall impose the following fees:

(1) an application fee not to exceed five

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1 hundred dollars (\$500) for licensure by endorsement as provided
2 in Section 61-6-13 NMSA 1978;

3 (2) an application fee not to exceed five
4 hundred dollars (\$500) for licensure by examination as provided
5 in Section 61-6-11 NMSA 1978;

6 (3) a triennial renewal fee not to exceed five
7 hundred dollars (\$500);

8 (4) a fee of twenty-five dollars (\$25.00) for
9 placing a physician's license or a physician assistant's
10 license on inactive status;

11 (5) a late fee not to exceed one hundred
12 dollars (\$100) for physicians who renew their license within
13 forty-five days after the required renewal date;

14 (6) a late fee not to exceed two hundred
15 dollars (\$200) for physicians who renew their licenses between
16 forty-six and ninety days after the required renewal date;

17 (7) a reinstatement fee not to exceed seven
18 hundred dollars (\$700) for reinstatement of a revoked,
19 suspended or inactive license;

20 (8) a reasonable administrative fee for
21 verification and duplication of license or registration and
22 copying of records;

23 (9) a reasonable publication fee for the
24 purchase of a publication containing the names of all
25 practitioners licensed under the Medical Practice Act;

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- (10) an impaired physician fee not to exceed one hundred fifty dollars (\$150) for a three-year period;
- (11) an interim license fee not to exceed one hundred dollars (\$100);
- (12) a temporary license fee not to exceed one hundred dollars (\$100);
- (13) a postgraduate training license fee not to exceed fifty dollars (\$50.00) annually;
- (14) an application fee not to exceed one hundred fifty dollars (\$150) for physician assistants applying for initial licensure;
- (15) a licensure fee not to exceed one hundred fifty dollars (\$150) for physician assistants biennial license renewal and registration of supervising or collaborating licensed physician;
- (16) a late fee not to exceed fifty dollars (\$50.00) for physician assistants who renew their licensure within forty-five days after the required renewal date;
- (17) a late fee not to exceed seventy-five dollars (\$75.00) for physician assistants who renew their licensure between forty-six and ninety days after the required renewal date;
- (18) a reinstatement fee not to exceed one hundred dollars (\$100) for physician assistants who reinstate an expired license;

(19) a fee not to exceed three hundred dollars (\$300) annually for a physician supervising a clinical pharmacist;

(20) an [application and renewal fee for a telemedicine license] annual telehealth provider registration fee not to exceed [nine hundred dollars (\$900)] one hundred dollars (\$100);

(21) a reasonable administrative fee, not to exceed the current cost of application and license or renewal for a license, that may be charged for reprocessing applications and renewals that include minor but significant errors and that would otherwise be subject to investigation and possible disciplinary action; and

(22) a reasonable fee as established by the department of public safety for nationwide and statewide criminal history screening of applicants and licensees.

B. All fees are nonrefundable and shall be used by the board to carry out its duties efficiently."

SECTION 5. Section 61-6-20 NMSA 1978 (being Laws 1923, Chapter 44, Section 9, as amended) is amended to read:

"61-6-20. PRACTICING WITHOUT LICENSE--PENALTY.--

A. [Any] A person who practices medicine or who attempts to practice medicine without first complying with the provisions of the Medical Practice Act and without being the holder of a license entitling [him] the person to practice

medicine in New Mexico is guilty of a fourth degree felony.

B. [Any] A person who practices medicine across state lines or who attempts to practice medicine across state lines without first complying with the provisions of the Medical Practice Act and without being [the holder of a telemedicine license] registered as a telehealth provider entitling [him] the person to practice medicine across state lines is guilty of a fourth degree felony.

C. [Any] A person convicted pursuant to Subsection A or B of this section shall be sentenced under the provisions of the Criminal Sentencing Act to imprisonment for a definite period not to exceed eighteen months and, in the discretion of the sentencing court, to a fine not to exceed five thousand dollars (\$5,000), or both. Each occurrence of practicing medicine or attempting to practice medicine without complying with the Medical Practice Act shall be a separate violation."

SECTION 6. REPEAL.--Section 61-6-11.1 NMSA 1978 (being Laws 2001, Chapter 96, Section 10, as amended) is repealed.

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