

become effective to allow the board jurisdiction over unlicensed activity.

Compliance and consistency with the Uniform Licensing Act is being clarified within these statutes to provide the board with the authority to take action on a licensee for the defined causes. It is imperative that the appropriate language is specific in dealing with disciplinary cases.

Significant Issues

The changes in the scope of practice and definitions are significant. They will provide assurance that the scope of practice is clear and easy to interpret for prospective licensees, the public and legal counsel. These changes will eliminate exploitation of the chiropractic profession by clarifying and defining the privileges in the statute; provide consistency with credentialing and procedures related to medicare and medicaid; establish minimum understanding of the chiropractic physician responsibilities; clarify the extent of privileges; and define boundary lines between many alternative medicine health care boards.

The existing endorsement requirement is not clear which creates a struggle for interpretation of the requirements—the changes proposed by this bill clarify the requirements. All other changes will “update” unclear and outdated language to be consistent with the activities of the profession, the current law and other similar professions regulated by state government under the New Mexico Statute Authority.

The law is necessary in the board’s mission to protect the public, to provide quality service to constituents and to permit greater efficiency in the operation of the board.

OTHER SUBSTANTIVE ISSUES

The Board of Pharmacy (BOP) believes this bill gives Chiropractors the authority to order/prescribe prescription drugs including Controlled Substances. In order to prescribe controlled substances, chiropractors needs to register with the Drug Enforcement Administration (DEA) and be added to the definitions for “Practitioners” in both the NM Drug, Device and Cosmetic Act (authority for prescribing dangerous/prescription drugs) and the NM Controlled Substances Act (for ordering/prescribing Controlled Substances).

By clarifying that the bill does not allow prescription of controlled substances, chiropractors would not be required to license with the Board of Pharmacy or the DEA. See suggested amendment below.

AMENDMENTS

Suggested by the BOP:

Page 3, line 10, after “includes” insert the words “prescribing or”

Page 3, line 17, after “certification” insert the words “except any such use or treatment shall not include controlled substances.”