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FISCAL IMPACT REPORT

ORIGINAL DATE 02/23/11
 LAST UPDATED 03/06/11 **HB** 481/aHHGAC

SPONSOR Egolf

SHORT TITLE Massage Therapy Act Inactive Status **SB** _____

ANALYST Sanchez, C.

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)
 Attorney General’s Office (AGO)

SUMMARY

Synopsis of HHGAC Amendment

The House Health and Government Affairs Committee amendment to HB481 changes the type of form required to reactivate a license from renewal to “reactivate”. The amendment also corrects a typographical error; it changes proscribed to “prescribed”.

Synopsis of Original Bill

House Bill 481 Creates a procedure by which licensed massage therapists and registered massage therapy instructors can request to put their licenses or registrations on inactive status. The licensee may reactivate the license upon submission of the renewal form, annual renewal fee, and proof of continuing education or refresher courses as prescribed by the board. A new fee for this service will be created with the passage of this bill.

FISCAL IMPLICATIONS

No significant fiscal impact is identified.

SIGNIFICANT ISSUES

According to the Regulation and Licensing Department (RLD), currently a massage therapist and massage therapy instructor do not need to contact the board to request their license or registration be transferred to inactive status. This transition occurs automatically when that license or registration is not renewed. The license can remain inactive for two years before it expires.

HB 481 would require licensees to contact the board in writing and pay a fee to have their licenses transferred to inactive status. The bill makes no mention of how long the license can remain inactive.

According to the Attorney General’s Office (AGO), there is a question whether competencies as an instructor may be sustained after lengthy years of inactive status as a teacher, however depending on what requirements the board sets for reactivation of instructor registration, such concerns may be minimized.

ADMINISTRATIVE IMPLICATIONS

If this bill is passed the Massage Therapy Board would need to hold a public rule hearing to change the rules to coincide with the law and to create an inactive status fee.

TECHNICAL ISSUES

RLD believes on line 16 “renewal form” should be changed to “reactivation form”.

Line 19 contains a typographical error. The first word should be “prescribed”.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Law will remain same and instructors will have two years to reactivate an inactive license.

CS/bym:svb