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FISCAL IMPACT REPORT

SPONSOR	Reps. Ferrary, Terrazas, and Borrego/Sen. Stefanics	LAST UPDATED	3/20/25
		ORIGINAL DATE	2/1/25
SHORT TITLE	Death Certificate by Physician Assistant	BILL	House Bill
		NUMBER	117/aHHHC/
			aSHPAC
		ANALYST	Klundt

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT*

(dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact	No fiscal impact	No fiscal impact			

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From

New Mexico Medical Board (NMMB)

Health Care Authority (HCA)

Department of Health (DOH)

SUMMARY

Synopsis of SHPAC Amendment to House Bill 117

The Senate Health and Public Affairs Committee amendment to House Bill 117 (HB117) would increase the number of days from the decedent's last medical exam beyond which a death would require an investigation to 365.

Synopsis of HHHC Amendment to House Bill 117

The House Health and Human Services Committee (HHHC) amendment to House Bill 117 would reduce the number of deaths that must be investigated by the Office of the Medical Investigator by changing the conditions under which a death would be referred to the office.

Synopsis of Original Bill

House Bill 117 amends the Vital Statistics Act to add physician assistants to the medical professionals who may routinely sign a death certificate. In the absence of a physician or nurse practitioner, the amended section would permit the medical certification of death to also be signed by the physician assistant's associate physician assistant, among other appropriate auxiliary medical personnel currently authorized under existing law to sign.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

No significant fiscal impact was identified at this time.

SIGNIFICANT ISSUES

The Health Care Authority notes, “Hospitals and hospices may be more likely to hire physician assistants if they can utilize PAs for the purpose of signing death certificates. [There is a] potential positive impact on the workforce in the state. This could serve an important function in rural parts of the state with few physicians.”

The Department of Health (DOH) suggests HB117 could improve the timely production of death certificates and, in analysis on similar legislation introduced in a previous legislative session, indicated that including physician assistants among those who could sign a death certificate would allow physicians or nurse practitioners to address other areas and needs of New Mexicans. The department also noted that improving the timeliness of the death certificate process would benefit families who are dealing with funeral arrangements, possibly troubling circumstances, and any insurance or benefit situations.

DOH states the HHC amendment should also improve the timeliness of death certificates. Under current law, unattended deaths are referred to the Office of the Medical Investigator for a determination of cause of death if the death occurred more than 10 days after the decedent was last treated by a physician. The amendment to HB117 clarifies what constitutes medical treatment, adds treatment by a physician assistant or nurse practitioner, and extends the timeline to 180 days:

There has historically been much confusion regarding what constitutes “treatment” for purposes of this paragraph, and the short timeframe has also contributed to a significant number of cases being unnecessarily referred to OMI, even when there was nothing unexpected about a person’s death and the decedent’s primary care practitioner is reasonably assured of the cause of death.

No significant issues were identified by the New Mexico Medical Board.

KK/SL2/rl/hg/sgs