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SENATE BILL

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

INTRODUCED BY

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AN ACT

RELATING TO LICENSURE; ENACTING THE INTERSTATE MEDICAL  
LICENSURE COMPACT; PROVIDING FOR THE APPOINTMENT OF NEW MEXICO  
COMPACT COMMISSIONERS; REQUIRING THE PUBLIC POSTING OF  
INTERSTATE COMMISSION BYLAWS, RULES, DOCUMENTS AND MINUTES;  
ENACTING NEW SECTIONS OF THE MEDICAL PRACTICE ACT; PROVIDING  
FOR A CONTINGENT REPEAL OF THE INTERSTATE MEDICAL LICENSURE  
COMPACT.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--Section 2 of this  
act may be cited as the "Interstate Medical Licensure Compact".

SECTION 2. [NEW MATERIAL] INTERSTATE MEDICAL LICENSURE  
COMPACT ENTERED INTO.--The "Interstate Medical Licensure  
Compact" is enacted into law and entered into on behalf of New  
Mexico with any and all other states legally joining therein in

1 a form substantially as follows:

2 "INTERSTATE MEDICAL LICENSURE COMPACT

3 ARTICLE 1 - Definitions

4 In the Interstate Medical Licensure Compact:

5 A. "bylaws" means those bylaws established by the  
6 interstate commission;

7 B. "commissioner" means the voting representative  
8 appointed by each member board;

9 C. "conviction" means a finding by a court that a  
10 person is guilty of a criminal offense through adjudication or  
11 entry of a plea of guilt or no contest to the charge by the  
12 offender. Evidence of an entry of a conviction of a criminal  
13 offense by the court shall be considered final for purposes of  
14 disciplinary action by a member board;

15 D. "expedited license" means a full and  
16 unrestricted medical license granted by a member state to an  
17 eligible physician through the process set forth in the  
18 Interstate Medical Licensure Compact;

19 E. "interstate commission" means the interstate  
20 medical licensure compact commission;

21 F. "license" means authorization by a member state  
22 for a physician to engage in the practice of medicine, which  
23 would be unlawful without authorization;

24 G. "medical practice act" means laws and rules  
25 governing the practice of allopathic and osteopathic medicine

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1 within a member state;

2 H. "member board" means a state agency in a member  
3 state that acts in the sovereign interests of the state by  
4 protecting the public through licensure, regulation and  
5 education of physicians as directed by the state government;

6 I. "member state" means a state that has enacted  
7 the Interstate Medical Licensure Compact;

8 J. "offense" means a felony or misdemeanor under  
9 the Criminal Code;

10 K. "physician" means a person who:

11 (1) is a graduate of a medical school  
12 accredited by the liaison committee on medical education, the  
13 commission on osteopathic college accreditation or a medical  
14 school listed in the *World Directory of Medical Schools* or its  
15 equivalent;

16 (2) passed each component of the United States  
17 medical licensing examination or the comprehensive osteopathic  
18 medical licensing examination of the United States within three  
19 attempts, or any of its predecessor examinations accepted by a  
20 state medical board as an equivalent examination for licensure  
21 purposes;

22 (3) successfully completed graduate medical  
23 education approved by the accreditation council for graduate  
24 medical education or the American osteopathic association;

25 (4) holds specialty certification or a time-

1 unlimited specialty certificate recognized by the American  
2 board of medical specialties or the American osteopathic  
3 association bureau of osteopathic specialists;

4 (5) possesses a full and unrestricted license  
5 to engage in the practice of medicine issued by a member board;

6 (6) has never been convicted or received  
7 adjudication, deferred adjudication, community supervision or  
8 deferred disposition for any offense by a court of appropriate  
9 jurisdiction;

10 (7) has never held a license authorizing the  
11 practice of medicine subjected to discipline by a licensing  
12 agency in any state, federal or foreign jurisdiction, excluding  
13 any action related to nonpayment of fees related to a license;

14 (8) has never had a controlled substance  
15 license or permit suspended or revoked by a state or the United  
16 States drug enforcement administration; and

17 (9) is not under active investigation by a  
18 licensing agency or law enforcement authority in any state,  
19 federal or foreign jurisdiction;

20 L. "practice of medicine" means that clinical  
21 prevention, diagnosis or treatment of human disease, injury or  
22 condition requiring a physician to obtain and maintain a  
23 license in compliance with the medical practice act of a member  
24 state;

25 M. "rule" means a written statement by the

1 interstate commission promulgated pursuant to Article 11 of the  
2 Interstate Medical Licensure Compact that is of general  
3 applicability, implements, interprets or prescribes a policy or  
4 provision of the compact or is an organizational, procedural or  
5 practice requirement of the interstate commission and has the  
6 force and effect of law in a member state, if the rule is not  
7 inconsistent with the laws of the member state, and includes  
8 the amendment, repeal or suspension of an existing rule;

9 N. "state" means any state, commonwealth, district  
10 or territory of the United States; and

11 O. "state of principal license" means a member  
12 state in which a physician holds a license to practice medicine  
13 and that has been designated as such by the physician for  
14 purposes of registration and participation in the Interstate  
15 Medical Licensure Compact.

## 16 ARTICLE 2 - Eligibility

17 A. A physician must meet the eligibility  
18 requirements as defined in Subsection K of Article 1 of the  
19 Interstate Medical Licensure Compact to receive an expedited  
20 license under the terms and provisions of that compact.

21 B. A physician who does not meet the requirements  
22 of Subsection K of Article 1 of the Interstate Medical  
23 Licensure Compact may obtain a license to practice medicine in  
24 a member state if the person complies with all laws and  
25 requirements other than that compact relating to the issuance

1 of a license to practice medicine in that state.

2 ARTICLE 3 - Designation of State of Principal License

3 A. A physician shall designate a member state as  
4 the state of principal license for purposes of registration for  
5 expedited licensure through the Interstate Medical Licensure  
6 Compact if the physician possesses a full and unrestricted  
7 license to practice medicine in that state, and the state is:

8 (1) the state of principal residence for the  
9 physician;

10 (2) the state in which at least twenty-five  
11 percent of the physician's practice of medicine occurs;

12 (3) the location of the physician's employer;  
13 or

14 (4) the state designated as state of residence  
15 for the purpose of federal income tax if a state does not  
16 qualify under Paragraph (1), (2) or (3) of this subsection.

17 B. A physician may redesignate a member state as a  
18 state of principal license at any time if the state meets the  
19 requirements of Subsection A of this article.

20 C. The interstate commission is authorized to  
21 develop rules to facilitate redesignation of another member  
22 state as the state of principal license.

23 ARTICLE 4 - Application and Issuance of Expedited Licensure

24 A. A physician seeking licensure through the  
25 Interstate Medical Licensure Compact shall file an application

1 for an expedited license with the member board of the state  
2 selected by the physician as the state of principal license.

3 B. Upon receipt of an application for an expedited  
4 license, the member board within the state of principal license  
5 shall evaluate whether the physician is eligible for expedited  
6 licensure and issue a letter of qualification, verifying or  
7 denying the physician's eligibility, to the interstate  
8 commission.

9 (1) Static qualifications, which include  
10 verification of medical education, graduate medical education,  
11 results of any medical or licensing examination and other  
12 qualifications as determined by the interstate commission  
13 through rule, shall not be subject to additional primary-source  
14 verification if primary-source verification has been conducted  
15 by the state of principal license.

16 (2) The member board of the state of principal  
17 license shall, in the course of verifying eligibility, perform  
18 a criminal background check of an applicant, including the use  
19 of the results of fingerprint or other biometric data checks  
20 compliant with the requirements of the federal bureau of  
21 investigation, with the exception of federal employees who have  
22 suitability determination in accordance with 5 Code of Federal  
23 Register Section 731.202.

24 (3) Appeal on the determination of eligibility  
25 shall be made to the member state where the application was

.232525.8

1 filed and shall be subject to the law of that state.

2 C. Upon verification pursuant to Subsection B of  
3 this article, physicians eligible for an expedited license  
4 shall complete the registration process established by the  
5 interstate commission to receive a license in a member state  
6 selected pursuant to Subsection A of this article, including  
7 the payment of applicable fees.

8 D. After receiving verification of eligibility  
9 pursuant to Subsection B of this article and payment of fees  
10 pursuant to Subsection C of this article, a member board shall  
11 issue an expedited license to the physician. This license  
12 shall authorize the physician to practice medicine in the  
13 issuing state consistent with the medical practice act and all  
14 applicable laws and rules of the issuing member board and  
15 member state.

16 E. An expedited license shall be valid for a period  
17 consistent with the licensure period in the member state and in  
18 the same manner as required for other physicians holding a full  
19 and unrestricted license within the member state.

20 F. An expedited license obtained through the  
21 Interstate Medical Licensure Compact shall be terminated if a  
22 physician fails to maintain the license in the state of  
23 principal licensure for a non-disciplinary reason, without  
24 redesignation of a new state of principal licensure.

25 G. The interstate commission is authorized to

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1 develop rules regarding the application process, including  
2 payment of any applicable fees, and the issuance of an  
3 expedited license.

4 ARTICLE 5 - Fees for Expedited Licensure

5 A. A member state issuing an expedited license  
6 authorizing the practice of medicine in that state may impose a  
7 fee for a license issued or renewed through the Interstate  
8 Medical Licensure Compact.

9 B. The interstate commission is authorized to  
10 develop rules regarding fees for expedited licenses.

11 ARTICLE 6 - Renewal and Continued Participation

12 A. A physician seeking to renew an expedited  
13 license granted in a member state shall complete a renewal  
14 process with the interstate commission if the physician:

15 (1) maintains a full and unrestricted license  
16 in the state of principal license;

17 (2) has not been convicted, received  
18 adjudication, deferred adjudication, community supervision or  
19 deferred disposition for an offense by a court of appropriate  
20 jurisdiction;

21 (3) has not had a license authorizing the  
22 practice of medicine subject to discipline by a licensing  
23 agency in any state, federal or foreign jurisdiction, excluding  
24 any action related to nonpayment of fees related to a license;  
25 and

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1 (4) has not had a controlled substance license  
2 or permit suspended or revoked by a state or the United States  
3 drug enforcement administration.

4 B. Physicians shall comply with all continuing  
5 professional development or continuing medical education  
6 requirements for renewal of a license issued by a member state.

7 C. The interstate commission shall collect the  
8 renewal fees charged for the renewal of a license and  
9 distribute the fees to the applicable member board.

10 D. Upon receipt of the renewal fees collected in  
11 Subsection C of this article, a member board shall renew the  
12 physician's license.

13 E. Physician information collected by the  
14 interstate commission during the renewal process will be  
15 distributed to all member boards.

16 F. The interstate commission is authorized to  
17 develop rules to address renewal of licenses obtained through  
18 the Interstate Medical Licensure Compact.

19 ARTICLE 7 - Coordinated Information System

20 A. The interstate commission shall establish a  
21 database of all physicians licensed, or who have applied for  
22 licensure, pursuant to Article 4 of the Interstate Medical  
23 Licensure Compact.

24 B. Notwithstanding any other provision of law,  
25 member boards shall report to the interstate commission any

1 public action or complaint against a licensed physician who has  
2 applied or received an expedited license through the Interstate  
3 Medical Licensure Compact.

4 C. Member boards shall report disciplinary or  
5 investigatory information determined as necessary and proper by  
6 rule of the interstate commission.

7 D. Member boards may report any nonpublic  
8 complaint, disciplinary or investigatory information not  
9 required by Subsection C of this article to the interstate  
10 commission.

11 E. Member boards shall share complaint or  
12 disciplinary information about a physician upon request of  
13 another member board.

14 F. All information provided to the interstate  
15 commission or distributed by member boards shall be  
16 confidential, filed under seal and used only for investigatory  
17 or disciplinary matters; provided that information submitted to  
18 the New Mexico medical board is subject to the confidentiality  
19 and transparency requirements imposed by New Mexico law or  
20 court order.

21 G. The interstate commission is authorized to  
22 develop rules for mandated or discretionary sharing of  
23 information by member boards.

24 ARTICLE 8 - Joint Investigations

25 A. Licensure and disciplinary records of physicians

1 are deemed investigative.

2 B. In addition to the authority granted to a member  
3 board by its respective medical practice act or other  
4 applicable state law, a member board may participate with other  
5 member boards in joint investigations of physicians licensed by  
6 the member boards.

7 C. If participating in a joint investigation, and  
8 if requested by another board, the New Mexico medical board  
9 shall issue an investigative subpoena.

10 D. Member boards may share investigative,  
11 litigation or compliance materials in furtherance of any joint  
12 or individual investigation initiated under the Interstate  
13 Medical Licensure Compact.

14 E. A member state may investigate actual or alleged  
15 violations of the statutes authorizing the practice of medicine  
16 in any other member state in which a physician holds a license  
17 to practice medicine.

18 ARTICLE 9 - Disciplinary Actions

19 A. A disciplinary action taken by a member board  
20 against a physician licensed through the Interstate Medical  
21 Licensure Compact shall be deemed unprofessional conduct that  
22 may be subject to discipline by other member boards, in  
23 addition to a violation of the medical practice act or rules in  
24 that state.

25 B. If a license granted to a physician by the

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1 member board in the state of principal license is revoked,  
2 surrendered or relinquished in lieu of discipline or suspended,  
3 then all licenses issued to the physician by member boards  
4 shall automatically be placed, without further action necessary  
5 by any member board, on the same status. If the member board  
6 in the state of principal license subsequently reinstates the  
7 physician's license, a license issued to the physician by any  
8 other member board shall remain encumbered until that  
9 respective member board takes action to reinstate the license  
10 in a manner consistent with the medical practice act of that  
11 state.

12 C. If disciplinary action is taken against a  
13 physician by a member board not in the state of principal  
14 license, any other member board may deem the action conclusive  
15 as to matter of law and fact decided and:

16 (1) impose the same or lesser sanctions  
17 against the physician so long as such sanctions are consistent  
18 with the medical practice act of that state; or

19 (2) pursue separate disciplinary action  
20 against the physician under that state's respective medical  
21 practice act, regardless of the action taken in other member  
22 states.

23 D. If a license granted to a physician by a member  
24 board is revoked, surrendered or relinquished in lieu of  
25 discipline or suspended, then any licenses issued to the

1 physician by other member boards shall be suspended,  
2 automatically and immediately without further action necessary  
3 by the other member boards, for ninety days upon entry of the  
4 order by the disciplining board, to permit the member boards to  
5 investigate the basis for the action under the medical practice  
6 act of that state. A member board may terminate the automatic  
7 suspension of the license the member board issued prior to the  
8 completion of the ninety-day suspension period in a manner  
9 consistent with the medical practice act of that state.

10 E. A license, certification or authorization that  
11 is automatically suspended or revoked pursuant to this article  
12 shall be immediately reinstated if the suspension or revocation  
13 is solely on the basis that a health care practitioner  
14 performed, recommended or provided reproductive health services  
15 or gender-affirming care.

16 ARTICLE 10 - Interstate Medical Licensure Compact Commission

17 A. The "interstate medical licensure compact  
18 commission" is created by the member states in accordance with  
19 the provisions of this article.

20 B. The purpose of the interstate commission is the  
21 administration of the Interstate Medical Licensure Compact,  
22 which is a discretionary state function.

23 C. The interstate commission shall be a body  
24 corporate and joint agency of the member states and shall have  
25 all the responsibilities, powers and duties set forth in the

1 Interstate Medical Licensure Compact and such additional powers  
2 as may be conferred upon it by a subsequent concurrent action  
3 of the respective legislatures of the member states in  
4 accordance with the terms of the compact.

5 D. The interstate commission shall consist of two  
6 voting representatives appointed by each member state who shall  
7 serve as commissioners. In states where allopathic and  
8 osteopathic physicians are regulated by separate member boards  
9 or if the licensing and disciplinary authority is split between  
10 separate member boards or if the licensing and disciplinary  
11 authority is split between multiple member boards within a  
12 member state, the member state shall appoint one representative  
13 from each member board. A commissioner shall be:

14 (1) an allopathic or osteopathic physician  
15 appointed to a member board;

16 (2) an executive director, executive secretary  
17 or similar executive of a member board; or

18 (3) a member of the public appointed to a  
19 member board.

20 E. The interstate commission shall meet at least  
21 once each calendar year. A portion of this meeting shall be a  
22 business meeting to address such matters as may properly come  
23 before the commission, including the election of officers. The  
24 chair may call additional meetings and shall call for a meeting  
25 upon the request of a majority of the member states.

1 F. The bylaws may provide for meetings of the  
2 interstate commission to be conducted by telecommunication or  
3 electronic communication.

4 G. Each commissioner participating at a meeting of  
5 the interstate commission is entitled to one vote. A majority  
6 of commissioners shall constitute a quorum for the transaction  
7 of business unless a larger quorum is required by the bylaws of  
8 the interstate commission. A commissioner shall not delegate a  
9 vote to another commissioner. In the absence of a member  
10 state's commissioner, the member state may delegate voting  
11 authority for a specified meeting to another person from that  
12 state who shall meet the requirements of Subsection D of this  
13 article.

14 H. The interstate commission shall provide public  
15 notice of all meetings, and all meetings shall be open to the  
16 public. The interstate commission may close a meeting, in full  
17 or in portion, where the interstate commission determines by a  
18 two-thirds' vote of the commissioners present that an open  
19 meeting would be likely to:

20 (1) relate solely to the internal personnel  
21 practice and procedures of the interstate commission;

22 (2) discuss matters specifically exempted from  
23 disclosure by federal statute;

24 (3) discuss trade secrets or commercial or  
25 financial information that is privileged or confidential;

.232525.8

1 (4) involve accusing a person of a crime or  
2 formally censuring a person;

3 (5) discuss information of a personal nature,  
4 in which disclosure would constitute a clearly unwarranted  
5 invasion of personal privacy;

6 (6) discuss investigative records compiled for  
7 law enforcement purposes; or

8 (7) specifically relate to the participation  
9 in a civil action or other legal proceeding.

10 I. The interstate commission shall keep minutes  
11 that shall fully describe all matters discussed in a meeting  
12 and shall provide a full and accurate summary of actions taken,  
13 including record of any roll call votes.

14 J. The interstate commission shall make its  
15 information and official records, to the extent not otherwise  
16 designated in the Interstate Medical Licensure Compact,  
17 available to the public for inspection.

18 K. The interstate commission shall establish an  
19 executive committee that shall include officers, members and  
20 others as determined by the bylaws. The executive committee  
21 shall have the power to act on behalf of the interstate  
22 commission, with the exception of rulemaking, during periods  
23 when the interstate commission is not in session. When acting  
24 on behalf of the interstate commission, the executive committee  
25 shall oversee the administration of the Interstate Medical

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1 Licensure Compact, including enforcement and compliance with  
2 the provisions of the compact, its bylaws and rules and other  
3 such duties as necessary.

4 L. The interstate commission shall establish other  
5 committees for governance and administration of the Interstate  
6 Medical Licensure Compact.

7 ARTICLE 11 - Powers and Duties of the Interstate Commission

8 The interstate commission shall have the duty and power  
9 to:

10 A. oversee and maintain the administration of the  
11 Interstate Medical Licensure Compact;

12 B. adopt rules, which shall be binding to the  
13 extent and in the manner provided in the Interstate Medical  
14 Licensure Compact;

15 C. issue, upon the request of a member state or  
16 member board, advisory opinions concerning the meaning or  
17 interpretation of the Interstate Medical Licensure Compact, its  
18 bylaws, rules and actions;

19 D. enforce compliance with Interstate Medical  
20 Licensure Compact provisions, the rules promulgated by the  
21 interstate commission and the bylaws, using all necessary and  
22 proper means, including the use of judicial process;

23 E. establish and appoint committees, including an  
24 executive committee as required by Article 10 of the Interstate  
25 Medical Licensure Compact, which shall have the power to act on

1     behalf of the interstate commission in carrying out the  
2     interstate commission's powers and duties;

3             F.   pay, or provide for the payment of, the expenses  
4     related to the establishment, organization and ongoing  
5     activities of the interstate commission;

6             G.   establish and maintain one or more offices;

7             H.   borrow, accept, hire or contract for services of  
8     personnel;

9             I.   purchase and maintain insurance and bonds;

10            J.   employ an executive director who shall have such  
11     powers to employ, select or appoint employees, agents or  
12     consultants and to determine their qualifications, define their  
13     duties and fix their compensation;

14            K.   establish personnel policies and programs  
15     relating to conflicts of interest, rates of compensation and  
16     qualifications of personnel;

17            L.   accept donations and grants of money, equipment,  
18     supplies, materials and services and to receive, utilize and  
19     dispose of donations and grants of money, equipment, supplies,  
20     materials and services in a manner consistent with the conflict  
21     of interest policies established by the interstate commission;

22            M.   lease, purchase, accept contributions or  
23     donations of or otherwise to own, hold, improve or use any  
24     property, real, personal or mixed;

25            N.   sell, convey, mortgage, pledge, lease, exchange,

1 abandon or otherwise dispose of any property, real, personal or  
2 mixed;

3 O. establish a budget and make expenditures;

4 P. adopt a seal and bylaws governing the management  
5 and operation of the interstate commission;

6 Q. report annually to the legislatures and  
7 governors of the member states concerning the activities of the  
8 interstate commission during the preceding year. Such reports  
9 shall also include reports of financial audits and any  
10 recommendations that may have been adopted by the interstate  
11 commission;

12 R. coordinate education, training and public  
13 awareness regarding the Interstate Medical Licensure Compact,  
14 its implementation and its operation;

15 S. maintain records in accordance with the bylaws;

16 T. seek and obtain trademarks, copyrights and  
17 patents; and

18 U. perform such functions as may be necessary or  
19 appropriate to achieve the purpose of the Interstate Medical  
20 Licensure Compact.

## 21 ARTICLE 12 - Finance Powers

22 A. The interstate commission may levy on and  
23 collect an annual assessment from each member state or member  
24 board to cover the cost of the operations and activities of the  
25 interstate commission and its staff. The total assessment must

1 be sufficient to cover the annual budget approved each year for  
2 which revenue is not provided by other sources. The aggregate  
3 annual assessment amount shall be allocated upon a formula to  
4 be determined by the interstate commission, which shall  
5 promulgate a rule binding upon all member states.

6 B. The interstate commission shall not incur  
7 obligations of any kind prior to securing the funds adequate to  
8 meet the same.

9 C. The interstate commission shall not pledge the  
10 credit of any of the member states, except by, and with the  
11 authority of, the member state.

12 D. The interstate commission shall be subject to a  
13 yearly financial audit conducted by a certified or licensed  
14 accountant, and the report of the audit shall be included in  
15 the annual report of the interstate commission.

16 ARTICLE 13 - Organization and Operation of the Interstate  
17 Commission

18 A. The interstate commission shall, by a majority  
19 of commissioners present and voting, adopt bylaws to govern the  
20 interstate commission's conduct as may be necessary or  
21 appropriate to carry out the purposes of the Interstate Medical  
22 Licensure Compact within twelve months of the first interstate  
23 commission meeting.

24 B. The interstate commission shall elect or appoint  
25 annually from among its commissioners a chair, a vice chair and

1 a treasurer, each of whom shall have such authority and duties  
2 as may be specified in the bylaws. The chair or, in the  
3 chair's absence or disability, the vice chair, shall preside at  
4 all meetings of the interstate commission.

5 C. Officers selected pursuant to Subsection B of  
6 this article shall serve without remuneration from the  
7 interstate commission.

8 D. The officers and employees of the interstate  
9 commission shall not be liable or subject to suit, either  
10 personally or in their official capacity, when acting within  
11 the scope of such person's employment or duties for acts,  
12 errors or omissions occurring within such person's state.  
13 Nothing in this subsection shall be construed to protect such  
14 person from suit or liability for damage, loss, injury or  
15 liability caused by the intentional or willful and wanton  
16 misconduct of such person.

17 E. The interstate commission shall defend,  
18 indemnify and hold harmless the executive director and the  
19 director's employees according to the interstate commission's  
20 rules and bylaws. The executive director and employees of the  
21 interstate commission shall be held harmless in the amount of a  
22 settlement or judgment, including attorney fees and costs,  
23 obtained against such persons arising out of an actual or  
24 alleged act, error or omission that occurred within the scope  
25 of the interstate commission employment, duties or

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1 responsibilities, or that such persons had a reasonable basis  
2 for believing occurred within the scope of interstate  
3 commission employment, duties or responsibilities; provided  
4 that the actual or alleged act, error or omission did not  
5 result from intentional or willful and wanton misconduct on the  
6 part of such person.

7 F. The liability of the interstate commission  
8 within any member state may not exceed the limits of liability  
9 set forth under the constitution and laws of that state for  
10 state officials, employees and agents. The interstate  
11 commission is considered to be an instrumentality of the states  
12 for the purpose of any such action.

13 ARTICLE 14 - Rulemaking Functions of the Interstate Commission

14 A. The interstate commission shall promulgate  
15 reasonable rules to effectively and efficiently achieve the  
16 purpose of the Interstate Medical Licensure Compact; provided  
17 that in the event the interstate commission exercises  
18 rulemaking authority in a manner that is beyond the scope of  
19 the purposes of that compact or the powers granted by that  
20 compact, then such an action by the interstate commission shall  
21 be invalid and have no force or effect.

22 B. Rules deemed appropriate for the operations of  
23 the interstate commission shall be made pursuant to a  
24 rulemaking process that substantially conforms to the model  
25 state administrative procedure act of 2010 and subsequent

1 amendments to that act.

2 C. No later than thirty days after a rule is  
3 promulgated, a person may file a petition for judicial review  
4 of the rule in the United States district court for the  
5 District of Columbia, federal courts of New Mexico or the  
6 federal district where the interstate commission has its  
7 principal offices; provided that the filing of such a petition  
8 shall not stay or otherwise prevent the rule from becoming  
9 effective unless the court finds that the petitioner has a  
10 substantial likelihood of success.

11 ARTICLE 15 - Oversight of Interstate Medical Licensure Compact

12 A. Each member state shall enforce the Interstate  
13 Medical Licensure Compact and shall take all actions necessary  
14 and appropriate to effectuate the compact's purposes and  
15 intent. The provisions of that compact and the rules  
16 promulgated pursuant to that compact shall have standing as law  
17 but shall not override existing state authority to regulate the  
18 practice of medicine.

19 B. All courts shall give deference and take  
20 judicial notice of the Interstate Medical Licensure Compact and  
21 rules promulgated pursuant to that compact in any judicial or  
22 administrative proceeding in a member state pertaining to the  
23 subject matter of that compact that may affect the powers,  
24 responsibilities or actions of the interstate commission.

25 C. The interstate commission shall be entitled to

.232525.8

1 receive all services of process in such proceeding and shall  
2 have standing to intervene in the proceeding for all purposes.  
3 Failure to provide service of process to the interstate  
4 commission shall render a judgment or order void as to the  
5 interstate commission, the Interstate Medical Licensure Compact  
6 or promulgated rules.

7 ARTICLE 16 - Enforcement of Interstate Medical Licensure  
8 Compact

9 A. The interstate commission, in the reasonable  
10 exercise of its discretion, shall enforce the provisions and  
11 rules of the Interstate Medical Licensure Compact.

12 B. The interstate commission may, by majority vote  
13 of the commissioners, initiate legal action in the United  
14 States district court for the District of Columbia, federal  
15 courts of New Mexico or, at the discretion of the interstate  
16 commission, in the federal district where the interstate  
17 commission has its principal offices, to enforce compliance  
18 with the provisions of the Interstate Medical Licensure  
19 Compact, and its promulgated rules and bylaws, against a member  
20 state in default. The relief sought may include both  
21 injunctive relief and damages. In the event judicial  
22 enforcement is necessary, the prevailing party shall be awarded  
23 all costs of such litigation, including reasonable attorney  
24 fees.

25 C. The remedies provided in this article shall not

1 be the exclusive remedies of the interstate commission. The  
2 interstate commission may avail itself of any other remedies  
3 available under state law or regulation of a profession.

4 ARTICLE 17 - Default Procedures

5 A. The grounds for default include failure of a  
6 member state to perform such obligations or responsibilities  
7 imposed upon the member state by the Interstate Medical  
8 Licensure Compact or the rules and bylaws of the interstate  
9 commission promulgated pursuant to that compact.

10 B. If the interstate commission determines that a  
11 member state has defaulted in the performance of the member  
12 state's obligations or responsibilities under the Interstate  
13 Medical Licensure Compact, or the bylaws or promulgated rules,  
14 the interstate commission shall:

15 (1) provide written notice to the defaulting  
16 state and other member states of the nature of the default, the  
17 means of curing the default and any action taken by the  
18 interstate commission. The interstate commission shall specify  
19 the conditions by which the defaulting state must cure its  
20 default; and

21 (2) provide remedial training and specific  
22 technical assistance regarding the default.

23 C. If the defaulting state fails to cure the  
24 default, the defaulting state shall be terminated from the  
25 Interstate Medical Licensure Compact upon an affirmative vote

1 of a majority of the commissioners, and all rights, privileges  
2 and benefits conferred by the compact shall terminate on the  
3 effective date of termination. A cure of the default does not  
4 relieve the offending state of obligations or liabilities  
5 incurred during the period of the default.

6 D. Termination of membership in the Interstate  
7 Medical Licensure Compact shall be imposed only after all other  
8 means of securing compliance have been exhausted. Notice of  
9 intent to terminate shall be given by the interstate commission  
10 to the governor, the majority and minority leaders of the  
11 defaulting state's legislature and each of the member states.

12 E. The interstate commission shall establish rules  
13 and procedures to address licenses and physicians that are  
14 materially impacted by the termination of a member state or the  
15 withdrawal of a member state.

16 F. The member state that has been terminated is  
17 responsible for all dues, obligations and liabilities incurred  
18 through the effective date of termination, including  
19 obligations related to mutually agreed-upon performance that  
20 extend beyond the effective date of termination.

21 G. The interstate commission shall not bear any  
22 costs relating to any state that has been found to be in  
23 default or that has been terminated from the Interstate Medical  
24 Licensure Compact unless otherwise mutually agreed upon in  
25 writing between the interstate commission and the defaulting

1 state.

2 H. The interstate commission shall not issue a fine  
3 or penalty to a state for being in default, unless the fine or  
4 penalty is authorized by a court order.

5 I. The defaulting state may appeal the action of  
6 the interstate commission by petitioning the United States  
7 district court for the District of Columbia, federal courts of  
8 New Mexico or the federal district where the interstate  
9 commission has its principal offices. The prevailing party  
10 shall be awarded all costs of such litigation, including  
11 reasonable attorney fees.

12 ARTICLE 18 - Dispute Resolution

13 A. The interstate commission shall attempt, upon  
14 the request of a member state, to resolve disputes that are  
15 subject to the Interstate Medical Licensure Compact and that  
16 may arise among member states or member boards.

17 B. The interstate commission shall promulgate rules  
18 providing for both mediation and binding dispute resolution as  
19 appropriate.

20 ARTICLE 19 - Member States, Effective Date and Amendment

21 A. Any state is eligible to become a member of the  
22 Interstate Medical Licensure Compact.

23 B. The Interstate Medical Licensure Compact shall  
24 become effective and binding upon legislative enactment of the  
25 compact into law by no less than seven states. Thereafter, it

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1 shall become effective and binding on a state upon enactment of  
2 the compact into law by that state.

3 C. The governors of nonmember states, or the  
4 governors' designees, shall be invited to participate in the  
5 activities of the interstate commission on a nonvoting basis  
6 prior to adoption of the Interstate Medical Licensure Compact  
7 by all states.

8 D. The interstate commission may propose amendments  
9 to the Interstate Medical Licensure Compact for enactment by  
10 the member states. No amendment shall become effective and  
11 binding upon the interstate commission and the member states  
12 unless and until the amendment is enacted into law by unanimous  
13 consent of the member states.

14 ARTICLE 20 - Withdrawal

15 A. Once effective, the Interstate Medical Licensure  
16 Compact shall continue in force and remain binding upon each  
17 member state; provided that a member state may withdraw from  
18 the compact by specifically repealing the statute that enacted  
19 the compact into law.

20 B. Withdrawal from the Interstate Medical Licensure  
21 Compact shall be by the enactment of a statute repealing the  
22 compact. Legislation enacted for the purposes of withdrawing  
23 from the compact shall provide for a wind-up period that lasts  
24 at least one year after the effective date of the legislation  
25 to allow the member board of the withdrawing state to wind up

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1 its affairs with the commission and provide written notice of  
2 the withdrawal to the governor of each other member state.

3 C. The withdrawing state shall immediately notify  
4 the chair of the interstate commission in writing upon the  
5 introduction of legislation to repeal the Interstate Medical  
6 Licensure Compact in the withdrawing state.

7 D. The interstate commission shall notify the other  
8 member states of the withdrawing state's intent to withdraw  
9 within sixty days of receipt of notice provided under  
10 Subsection C of this article.

11 E. The withdrawing state is responsible for all  
12 dues, obligations and liabilities incurred through the  
13 effective date of withdrawal, including obligations related to  
14 mutually agreed-upon performance that extend beyond the  
15 effective date of withdrawal.

16 F. Reinstatement following withdrawal of a member  
17 state shall occur upon the withdrawing state reenacting the  
18 Interstate Medical Licensure Compact or upon such later date as  
19 determined by a vote of the interstate commission.

20 G. The interstate commission is authorized to  
21 develop rules to address the impact of the withdrawal of a  
22 member state on licenses granted in other member states to  
23 physicians who designated the withdrawing member state as the  
24 state of principal license.

25 ARTICLE 21 - Dissolution

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1           A. The Interstate Medical Licensure Compact shall  
2 dissolve effective upon the date of the withdrawal or default  
3 of the member state that reduces the membership of the compact  
4 to one member state.

5           B. Upon the dissolution of the Interstate Medical  
6 Licensure Compact, the compact becomes void and shall be of no  
7 further force, and the business and affairs of the interstate  
8 commission shall be concluded and surplus funds shall be  
9 distributed in accordance with the bylaws.

10           ARTICLE 22 - Severability and Construction

11           A. The provisions of the Interstate Medical  
12 Licensure Compact shall be severable, and if any phrase,  
13 clause, sentence or provision is deemed unenforceable, the  
14 remaining provisions of the compact shall be enforceable.

15           B. The provisions of the Interstate Medical  
16 Licensure Compact shall be liberally construed to effectuate  
17 the purposes of that compact.

18           C. Nothing in the Interstate Medical Licensure  
19 Compact shall be construed to prohibit the applicability of  
20 other interstate compacts to which the member states are  
21 members.

22           ARTICLE 23 - Binding Effect of the Interstate Medical Licensure  
23 Compact and Other Laws

24           A. Nothing in the Interstate Medical Licensure  
25 Compact prevents the enforcement of any other law of a member

1 state that is not inconsistent with that compact.

2 B. All laws in a member state in conflict with the  
3 Interstate Medical Licensure Compact are superseded to the  
4 extent of the conflict.

5 C. All lawful actions of the interstate commission,  
6 including all rules and bylaws promulgated by the interstate  
7 commission, are binding upon the member states.

8 D. All agreements between the interstate commission  
9 and the member states are binding in accordance with their  
10 terms.

11 E. If any provision of this compact exceeds the  
12 constitutional limits imposed on the legislature of any member  
13 state, such provision shall be ineffective to the extent of the  
14 conflict with the constitutional provision in question in that  
15 member state.

16 ARTICLE 24 - Preservation of State Authority

17 A. This compact creates a new pathway for physician  
18 licensure in this state but does not otherwise change or limit  
19 the effect of the Medical Practice Act.

20 B. This compact adopts the prevailing standard for  
21 licensure and affirms that the practice of medicine occurs  
22 where the patient is located at the time of a physician-patient  
23 encounter and, therefore, requires the physician to be under  
24 the jurisdiction of the state medical board where the patient  
25 is located.

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1 C. A state medical board that participates in this  
2 compact retains the authority to impose an adverse action  
3 against a license to practice medicine in that state, including  
4 licenses issued to physicians through procedures provided by  
5 this compact."

6 SECTION 3. A new section of the Medical Practice Act is  
7 enacted to read:

8 "[NEW MATERIAL] PARTICIPATION IN COMPACT AS CONDITION OF  
9 EMPLOYMENT PROHIBITED.--An employer shall not require a  
10 physician licensed in this state pursuant to the Medical  
11 Practice Act to seek licensure through the Interstate Medical  
12 Licensure Compact as a condition of initial or continued  
13 employment as an allopathic or osteopathic physician in this  
14 state. An employer may require that a physician obtain and  
15 maintain a license to practice allopathic or osteopathic  
16 medicine in multiple states if the physician is free to obtain  
17 and maintain the licenses by any means authorized by the laws  
18 of the respective states."

19 SECTION 4. A new section of the Medical Practice Act is  
20 enacted to read:

21 "[NEW MATERIAL] APPOINTMENT OF INTERSTATE MEDICAL  
22 LICENSURE COMPACT COMMISSIONERS--DUTIES.--

23 A. The governor shall appoint two members of the  
24 board who are licensed physicians to serve on the Interstate  
25 Medical Licensure Compact commission. One member shall be a

1 medical doctor and one member shall be an osteopathic  
2 physician. A member shall serve until the member's successor  
3 has been appointed and qualified. Each member serves at the  
4 pleasure of the governor or until the member is no longer a  
5 member of the New Mexico medical board. If a position is  
6 vacated, the position shall be filled by appointment by the  
7 governor of a medical board member who meets the qualification  
8 of the vacating member.

9 B. The governor may appoint an alternative  
10 commissioner who meets the qualifications of Subsection D of  
11 Article 10 of the Interstate Medical Licensure Compact to serve  
12 in the absence of a regular commissioner and who has voting  
13 authority only for a specified meeting of the interstate  
14 commission.

15 C. If a meeting, or a portion of a meeting, of the  
16 Interstate Medical Licensure Compact commission is closed  
17 pursuant to Subsection H of Article 10 of the Interstate  
18 Medical Licensure Compact, commissioners appointed pursuant to  
19 this section shall request the commission's legal counsel or  
20 designee to certify that the meeting may be closed by citing  
21 each provision of that subsection that is applicable.

22 Commissioners may satisfy this subsection by making a motion,  
23 or voting in the affirmative on a motion, to have the  
24 interstate commission's legal counsel or designee certify that  
25 the meeting may be closed.

1 D. Any time the Interstate Medical Licensure  
2 Compact commission is voting on what to include in the  
3 interstate commission's minutes, commissioners appointed  
4 pursuant to this section shall vote to include in the minutes:

5 (1) all actions taken by the commission and  
6 the reasons for each action, including a description of the  
7 views expressed; and

8 (2) identification of all documents considered  
9 by the commission that relate to an action taken by the  
10 commission."

11 SECTION 5. A new section of the Medical Practice Act is  
12 enacted to read:

13 "[NEW MATERIAL] BOARD OBLIGATIONS--PUBLIC POSTING.--The  
14 board shall post on the board's public website:

15 A. copies of the Interstate Medical Licensure  
16 Compact commission's current bylaws and rules;

17 B. notice of any Interstate Medical Licensure  
18 Compact commission action that may affect the license of a  
19 physician in this state within thirty days of the commission's  
20 action being taken; and

21 C. any minutes or documents of the Interstate  
22 Medical Licensure Compact commission that are released pursuant  
23 to a vote of the commission. All minutes and documents of a  
24 closed meeting of the Interstate Medical Licensure Compact  
25 commission shall remain under seal, subject to release by a

1 majority vote of the commission or an order of a court of  
2 competent jurisdiction."

3 SECTION 6. A new section of the Medical Practice Act is  
4 enacted to read:

5 "[NEW MATERIAL] JOINT INVESTIGATIONS--INVESTIGATIVE  
6 SUBPOENAS.--

7 A. The board may enter into joint investigations  
8 with other state medical boards pursuant to the Interstate  
9 Medical Licensure Compact; provided that participation in the  
10 joint investigation is governed by a written agreement among  
11 the board and the other participating medical boards.

12 B. When participating in a joint investigation, the  
13 board shall not issue an investigative subpoena that conflicts  
14 with the Reproductive and Gender-Affirming Health Care  
15 Protection Act."

16 SECTION 7. [NEW MATERIAL] CONTINGENT REPEAL.--

17 A. Sections 1 through 6 of this 2026 act are  
18 repealed if a state or federal court of New Mexico finds that a  
19 rule or decision of the Interstate Medical Licensure Compact  
20 commission, or a court order regarding a rule or decision  
21 relating to the Interstate Medical Licensure Compact, would  
22 change the scope of practice of a physician or the definition  
23 of unprofessional conduct for a physician in a manner that is  
24 inconsistent with the Medical Practice Act or any other state  
25 law relating to the practice of medicine. A person who is or

1 may be affected by a rule or decision at issue under this  
2 subsection shall have standing to seek a determination by the  
3 district court.

4 B. The New Mexico medical board shall certify to  
5 the director of the legislative council service and the  
6 executive director of the New Mexico compilation commission the  
7 date on which the action described in Subsection A of this  
8 section occurs.

9 C. Repeal of the Interstate Medical Licensure  
10 Compact pursuant to this section constitutes this state's  
11 immediate withdrawal from the Interstate Medical Licensure  
12 Compact. The New Mexico medical board shall send written  
13 notification of withdrawal to the governor of each other state  
14 that has enacted this compact.

15 D. The New Mexico medical board, or a member of the  
16 legislature, may request in writing that the attorney general  
17 review the actions of the Interstate Medical Licensure Compact  
18 commission or a court ruling relating to the enforcement of the  
19 Interstate Medical Licensure Compact.

20 E. In the event of a repeal pursuant to this  
21 section, the provisions of Article 20 of the Interstate Medical  
22 Licensure Compact shall remain in effect and govern the  
23 withdrawal.