

1 SENATE BILL

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Linda M. Trujillo and Katy M. Duhigg and Nicole Tobiassen
5 and Pamelya Herndon

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10 AN ACT

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

18

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

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

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

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a form substantially as follows:

"INTERSTATE MEDICAL LICENSURE COMPACT

ARTICLE 1 - Definitions

In the Interstate Medical Licensure Compact:

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 2 - Eligibility

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

B. A physician who does not meet the requirements of Subsection K of Article 1 of the Interstate Medical Licensure Compact may obtain a license to practice medicine in a member state if the person complies with all laws and 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

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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

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

ARTICLE 5 - Fees for Expedited Licensure

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

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

ARTICLE 6 - Renewal and Continued Participation

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

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

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

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

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

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

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

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

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

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

ARTICLE 7 - Coordinated Information System

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

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

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

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

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

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

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

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

ARTICLE 8 - Joint Investigations

A. Licensure and disciplinary records of physicians

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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

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;

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

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 13 - Organization and Operation of the Interstate Commission

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

B. The interstate commission shall elect or appoint 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

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

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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

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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

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

ARTICLE 17 - Default Procedures

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

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

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

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

C. If the defaulting state fails to cure the default, the defaulting state shall be terminated from the 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

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

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

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

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

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

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

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

ARTICLE 21 - Dissolution

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

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

ARTICLE 22 - Severability and Construction

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

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

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

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

A. Nothing in the Interstate Medical Licensure 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.

underscored material = new
[bracketed material] = delete

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

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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.

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

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

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

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

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

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

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

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

underscored material = new
[bracketed material] = delete

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

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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.