

HOUSE BILL 266

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

Jenifer Jones and Elizabeth "Liz" Thomson

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO LICENSURE; AMENDING THE PHYSICIAN ASSISTANT ACT TO ELIMINATE CERTAIN REQUIREMENTS REGARDING THE SUPERVISION OF PHYSICIAN ASSISTANTS BY PHYSICIANS; REPEALING SECTION 61-6C-8 NMSA 1978 (BEING LAWS 1973, CHAPTER 361, SECTION 6, AS AMENDED).

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

SECTION 1. Section 61-6-19 NMSA 1978 (being Laws 1989, Chapter 269, Section 15, as amended) is amended to read:

"61-6-19. FEES.--

A. Except as provided in Section 61-1-34 NMSA 1978, the board shall impose the following fees:

(1) an application fee not to exceed five hundred dollars (\$500) for licensure by endorsement as provided in Section 61-6-13 NMSA 1978;

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1 (2) an application fee not to exceed five  
2 hundred dollars (\$500) for licensure by examination as provided  
3 in Section 61-6-11 NMSA 1978;

4 (3) a triennial renewal fee not to exceed five  
5 hundred dollars (\$500);

6 (4) a fee of twenty-five dollars (\$25.00) for  
7 placing a physician's license or a physician assistant's  
8 license on inactive status;

9 (5) a late fee not to exceed one hundred  
10 dollars (\$100) for physicians who renew their license within  
11 forty-five days after the required renewal date;

12 (6) a late fee not to exceed two hundred  
13 dollars (\$200) for physicians who renew their licenses between  
14 forty-six and ninety days after the required renewal date;

15 (7) a reinstatement fee not to exceed seven  
16 hundred dollars (\$700) for reinstatement of a revoked,  
17 suspended or inactive license;

18 (8) a reasonable administrative fee for  
19 verification and duplication of license or registration and  
20 copying of records;

21 (9) a reasonable publication fee for the  
22 purchase of a publication containing the names of all  
23 practitioners licensed under the Medical Practice Act;

24 (10) an impaired physician fee not to exceed  
25 one hundred fifty dollars (\$150) for a three-year period;

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1 (11) an interim license fee not to exceed one  
2 hundred dollars (\$100);

3 (12) a temporary license fee not to exceed one  
4 hundred dollars (\$100);

5 (13) a postgraduate training license fee not  
6 to exceed fifty dollars (\$50.00) annually;

7 (14) an application fee not to exceed one  
8 hundred fifty dollars (\$150) for physician assistants applying  
9 for initial licensure;

10 (15) a licensure fee not to exceed one hundred  
11 fifty dollars (\$150) for physician assistants biennial license  
12 renewal [~~and registration of supervising or collaborating~~  
13 ~~licensed physician~~];

14 (16) a late fee not to exceed fifty dollars  
15 (\$50.00) for physician assistants who renew their licensure  
16 within forty-five days after the required renewal date;

17 (17) a late fee not to exceed seventy-five  
18 dollars (\$75.00) for physician assistants who renew their  
19 licensure between forty-six and ninety days after the required  
20 renewal date;

21 (18) a reinstatement fee not to exceed one  
22 hundred dollars (\$100) for physician assistants who reinstate  
23 an expired license;

24 (19) a fee not to exceed three hundred dollars  
25 (\$300) annually for a physician supervising a clinical

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1 pharmacist;

2 (20) an application and renewal fee for a  
3 telemedicine license not to exceed nine hundred dollars (\$900);

4 (21) a reasonable administrative fee, not to  
5 exceed the current cost of application and license or renewal  
6 for a license, that may be charged for reprocessing  
7 applications and renewals that include minor but significant  
8 errors and that would otherwise be subject to investigation and  
9 possible disciplinary action; and

10 (22) a reasonable fee as established by the  
11 department of public safety for nationwide and statewide  
12 criminal history screening of applicants and licensees.

13 B. All fees are nonrefundable and shall be used by  
14 the board to carry out its duties efficiently."

15 SECTION 2. Section 61-6C-3 NMSA 1978 (being Laws 2022,  
16 Chapter 39, Section 31) is amended to read:

17 "61-6C-3. LICENSURE AS A PHYSICIAN ASSISTANT--SCOPE OF  
18 PRACTICE--BIENNIAL REGISTRATION OF SUPERVISION--LICENSE  
19 RENEWAL--FEES.--

20 A. The board may license as a physician assistant a  
21 qualified person who has graduated from a physician assistant  
22 program accredited by the national accrediting body as  
23 established by rule of the board in accordance with the State  
24 Rules Act and has passed a physician assistant national  
25 certifying examination as established by rule. The board may

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1 also license as a physician assistant a person who passed the  
2 physician assistant national certifying examination  
3 administered by the national commission on certification of  
4 physician assistants prior to 1986.

5 B. A person shall not perform, attempt to perform  
6 or hold the person's own self out as a physician assistant  
7 without first applying for and obtaining a license from the  
8 board.

9 C. Physician assistants may prescribe, administer,  
10 dispense and distribute dangerous drugs other than controlled  
11 substances in Schedule I of the Controlled Substances Act  
12 pursuant to rules adopted by the board after consultation with  
13 the board of pharmacy [~~if the prescribing, administering,~~  
14 ~~dispensing and distributing are done with the supervision of a~~  
15 ~~licensed physician or in collaboration with a licensed~~  
16 ~~physician~~]. The distribution process shall comply with state  
17 laws concerning prescription packaging, labeling and  
18 recordkeeping requirements.

19 D. A physician assistant shall perform only the  
20 acts and duties that are within the physician assistant's scope  
21 of practice.

22 E. An applicant for licensure as a physician  
23 assistant shall complete application forms supplied by the  
24 board and shall pay a licensing fee as provided in Section  
25 61-6-19 NMSA 1978.

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1 F. A physician assistant shall biennially submit  
2 proof of current certification by the national commission on  
3 certification of physician assistants or another certifying  
4 agency designated by the board [~~and shall renew the license and~~  
5 ~~registration of supervision of the physician assistant with the~~  
6 ~~board~~].

7 G. A physician assistant [~~shall not practice~~  
8 ~~medicine until the physician assistant has established a~~  
9 ~~supervising or collaborating relationship with a licensed~~  
10 ~~physician in accordance with rules promulgated by the board~~]  
11 may practice independently and make decisions regarding the  
12 health care needs of a patient and carry out health regimens,  
13 including the prescription and distribution of dangerous drugs  
14 other than controlled substances in Schedule I of the  
15 Controlled Substances Act.

16 H. Each biennial renewal of licensure shall be  
17 accompanied by a fee as provided in Section 61-6-19 NMSA 1978."

18 SECTION 3. Section 61-6C-7 NMSA 1978 (being Laws 1973,  
19 Chapter 361, Section 5, as amended) is amended to read:

20 "61-6C-7. PHYSICIAN ASSISTANTS--RULES.--The board may  
21 promulgate rules in accordance with the State Rules Act and  
22 enforce those rules in accordance with the Uniform Licensing  
23 Act for:

24 A. education, skill and experience for licensure of  
25 a person as a physician assistant and providing forms and

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1 procedures for biennial license renewal;

2 B. examining and evaluating an applicant for  
3 licensure as a physician assistant as to skill, knowledge and  
4 experience of the applicant in the field of medical care;

5 C. establishing when and for how long physician  
6 assistants are permitted to prescribe, administer, dispense and  
7 distribute dangerous drugs other than controlled substances in  
8 Schedule I of the Controlled Substances Act pursuant to rules  
9 adopted by the board after consultation with the board of  
10 pharmacy; and

11 ~~[D. Allowing a supervising or collaborating~~  
12 ~~licensed physician to temporarily delegate supervision or~~  
13 ~~collaboration responsibilities for a physician assistant to~~  
14 ~~another licensed physician;~~

15 ~~E. Establishing when a physician assistant may~~  
16 ~~engage in the practice of medicine in collaboration with a~~  
17 ~~licensed physician; and~~

18 F.] D. carrying out all other provisions of the  
19 Physician Assistant Act."

20 SECTION 4. REPEAL.--Section 61-6C-8 NMSA 1978 (being Laws  
21 1973, Chapter 361, Section 6, as amended) is repealed.