

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT
RELATING TO PROFESSIONAL AND OCCUPATIONAL LICENSURE; AMENDING
AND ENACTING SECTIONS OF THE EMERGENCY MEDICAL SERVICES ACT
TO PROVIDE FOR CRIMINAL HISTORY BACKGROUND CHECKS OF PERSONS
APPLYING FOR LICENSURE OR LICENSED TO PROVIDE EMERGENCY
MEDICAL SERVICES.

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

SECTION 1. Section 24-10B-1 NMSA 1978 (being Laws 1983,
Chapter 190, Section 1) is amended to read:

"24-10B-1. SHORT TITLE.--Chapter 24, Article 10B NMSA
1978 may be cited as the "Emergency Medical Services Act"."

SECTION 2. A new section of the Emergency Medical
Services Act is enacted to read:

"CRIMINAL HISTORY BACKGROUND SCREENING.--

A. The department is authorized to obtain the
criminal history records of applicants and licensees and to
exchange fingerprint data directly with the federal bureau of
investigation, the department of public safety and any other
law enforcement agency or organization. The department shall
require fingerprinting of applicants and licensees for the
purposes of this section.

B. The secretary shall adopt and promulgate rules
to:

- (1) require criminal history background
checks for applicants and licensees;
- (2) identify the information from a criminal
history background check that may form the basis of a denial,
suspension or revocation of licensure or any other
disciplinary action; and

1 (3) otherwise carry out the provisions of
2 this section.

3 C. The department shall comply with applicable
4 confidentiality requirements of the department of public
5 safety and the federal bureau of investigation regarding the
6 dissemination of criminal history background check
7 information.

8 D. An applicant or licensee whose license is
9 denied, suspended or revoked, or who is otherwise disciplined
10 based on information obtained in a criminal history
11 background check, shall be entitled to review the information
12 obtained pursuant to this section and to appeal the decision
13 pursuant to the Uniform Licensing Act.

SJC/SB 98
Page 2

14 E. The applicant or licensee shall bear any costs
15 associated with ordering or conducting criminal history
16 background checks.

17 F. The provisions of the Criminal Offender
18 Employment Act shall govern any consideration of criminal
19 history records required or permitted by the Emergency
20 Medical Services Act.

21 G. As used in this section:

22 (1) "applicant" means a person applying for
23 licensure to provide emergency medical services under the
24 Emergency Medical Services Act; and

25 (2) "licensee" means a person that holds a
license to provide emergency medical services pursuant to the
Emergency Medical Services Act."

SECTION 3. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2014. _____