



## **2015 Legislative Session**

### **Scope of Practice Act - Committee Substitute for HB122**

Each legislative session brings another, or repeated, request from an allied health group to expand its scope of practice. Each of these requests takes significant time and resources away from other crucial NMMS efforts. Most requested changes to a provider's scope of practice have the potential of being critical patient safety issues. Legislators are required to make a medical judgment on the basis of little objective and analytical documentation. Legislators and their staff report these bills are confusing and misleading and that they are not qualified to make decisions in these areas.

In 1999, NMMS succeeded in passing legislation that would have set up an objective panel where all such requests would be heard before going directly to the legislature. It was vetoed. Since then, NMMS has pursued similar legislation almost every session. Allied groups are opposed to the Scope of Practice Act.

NMMS recommends the establishment of a Scope of Practice Act. The Act would require that any proposed changes to the scope of practice of a health provider be systematically analyzed, researched, and vetted before those proposed changes can come before the legislature.

The Act would require a member of a licensing board proposing a change in the scope of practice make a written request to the respective licensing board detailing the proposed change. Within ten days of receipt of the request, the licensing board would notify the legislative council service of the request. The legislative council would assign a committee to review the proposed change, collect data from the proponent and all other appropriate persons, ensure public notice of the committee's proceedings, and invite testimony from persons with special knowledge in the field. The committee would assess the proposal on the potential harm or benefit to consumers, impact on overall health care costs, and impact on access to and quality of health care. The committee would summarize its assessment, analysis and recommendation in a final report to the legislature.

This process of evaluating each proposed scope of practice change by a committee assigned by the legislative council will provide an objective, well-researched, evidence-based analysis of the requested statutory change to state law makers prior to consideration by the entire legislature.

For more information please contact:

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