



## HB 210 AUDIOLOGY & SPEECH LANGUAGE PATHOLOGY COMPACT (Brittney Barreras)

**Position:** Priority: Category:

**Current Location:** SJC

**Referrals:** HHHC/HSEIC/SJC

[2] HHHC/HSEIC-HHHC [6] DNP-CS/DP-HSEIC [9] DP [10] PASSED/H (67-0) [12] SJC-SJC

**Scheduled on - Date:** Time: Location:

**Updated on - Date:**2021-03-05

**Introduced on - Date:**2021-01-28

[HB 210 PDF](#) | [HB 210 FIR](#)

### Bill Action History

Date [Legislative Day]	Action	Next Step
2021-03-05 [12]	SINT - Sent to location	➔ Senate Judiciary - SJC
2021-03-04 [10]	HCAL - Passed the House of Representatives	➔ Senate Introduction - SINT
2021-03-01 [9]	HSEIC - Do Pass - Temporary Calendar	➔ House Temporary Calendar - HCAT
2021-02-22 [6]	HHHC - Do Not Pass - Committee Substitute Do Pass	➔ House State Government, Elections, and Indian Affairs - HSEIC
2021-01-28 [2]	- Sent to location	➔ House Health and Human Services - HHHC

### Synopsis:

Relating to intergovernmental agreements by enacting the Audiology and Speech-Language Pathology Interstate Compact.

### Analysis:

HB 210 would enact the Audiology and Speech Language Pathology Interstate Compact, whose purpose is to improve public access to audiology and speech-language pathology services. The Compact preserves the regulatory authority of states to protect the public through licensing and rule setting while joining the Compact with other member states to offer services. The multi-state Compact also provides a means for cooperation between member state in regulating the multistate practice of audiology and speech-pathology.

The services may be provided by a telehealth technology for the purpose of increasing access to services such as assessment, intervention, and consultation.

A license issued in the home state of a Compact member shall be recognized by each member state. States are required to implement a procedure for recognizing criminal history by utilizing a fingerprint method that would be provided by the Federal Bureau of Investigation.

Each member state is prohibited from using the data from the Federal Bureau of Investigation for communication or verification by other states than the home state for the purposes of verification.

Requirements for each member state for licensure include educational attainment from an accredited program that is recognized by the Council for Higher Education. A doctoral level of attainment in audiology from an educational institution after January 1, 2008 s required for licensing after January 1, 2008. For graduates prior to this date a master degree is required that is earned on or before December 31 , 2007.

A speech language pathologist must have attained a master degree from an accredited educational institution and verified by an independent credentials review agency. Other requirements are listed in the licensure section of HB 210.

To exercise the Compact privilege under the terms and provisions of the Compact, an audiologist or speech-language pathologist shall:(1) hold an active license in the home state;(2) have no encumbrance on any state license;(3) be eligible for a compact privilege.

Other requirements include: notifying the Commission that the licensee is seeking the Compact privilege within a remote state; pay any applicable fees, including any state fee, for the Compact privilege; and report to the Commission adverse action taken by any non-member state within thirty days from the date the adverse action is taken.

The Compact allows the licensee to practice through a telehealth methodology. Active-duty military personnel and spouses with home state licenses may practice where the individual has a current license in good standing.

Only home states may take adverse action on audiologist or Speech Pathologist. Member states may expect the home state to give the same priority and effect to reported conduct as it would have occurred in the home state.

As noted above a Commission is created known as the Audiology and Speech-pathology Comact Commission. Each stat is to have two delegates one being an audiologist and the other delegate to be a speech language pathologist. The delegates are selected by the home state licensing board. The Commission shall create by-laws, define a fiscal year, establish a code of ethics, meet and take action that are consistent with the Compact, maintain records, promulgate rules, bring and prosecute legal proceedings in the name of the Commission, contract for services, hire employees, appoint officers, accept donations, grants, supplies, materials, and services. Also, accept gifts, barrow money, and accept real property among other responsibilities.

There is to be an Executive Committee of ten members elected by the Commission, seven of which are to be elected by the Commission and two ex-officio non-voting members are to be representatives of a national audiology organization and the other from a national speech pathology language organization. One non-voting ex-officio member of a member licensing board to be selected from the respective associations.

The Executive Committee is to meet al least once per year, Duties include recommending changes to the rules or bylaws, changes to the Compact legislation, fees paid by Compact member states, make sure administrative services are appropriately provided, prepare and recommend a budget and maintain financial records on behalf of the Commission, monitor Compact compliance by the member states and establish committees.

All meetings are to be open to the public except that certain meetings may be convened in closed non-public meeting for non-compliance of a member state, employment matters, contracts, anticipated litigation, protection of trade secrets, investigative matters, and any matters exempted by federal or state statute.

In another section, the commission is protected by qualified immunity and indemnification and shall be immune from suit, and liability either personally or in their official capacity. This section does not protect from liability, intentional, willful or wanton misconduct.

The Commission shall defend any member officer executive director, employee, or representative of the Commission in any civil action seeking to impose liability.

The Commission will indemnify and hold harmless any member, officer, executive director, employee or representative of the Commission for any settlement or judgement.

The Commission will provide a data system through its development, maintenance, and utilization by use of data containing licensure, adverse action, and investigative information on all licensed individuals in member states.

In another section, rulemaking powers are granted however, if the majority of legislatures of the member states rejects a rule by statute por resolution, the rule if adopted with in four years of the date of adoption, the rule shall have no other force. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if it is requested by twenty-five persons, a state or federal governmental subdivision or agency or an association having at least twenty-five members.

The Commission is to attempt to resolve disputes related to the Compact that arise between member states. The Commission is empowered to take legal action against a member state to enforce compliance with the provisions of the Compact including its by-laws and rule.

The Compact will go into effect on the date that the tenth member state whose membership goes into law. Any states withdrawal shall not take effect until six months of the repealing statue from that states legislature.

A severability and construction clause is included as well as section on binding effect of the Compact on other laws. Nothing in the Compact presents the enforcement of any other law of the member state that is not inconsistent with the Compact.

## HB 266 SPECIAL EDUCATION TEACHER LICENSES (Natalie Figueroa)

**Position: Priority: Category:****Current Location: SEC****Referrals: HEC/HSEIC/SEC***[2] HEC/HSEIC-HEC [6] DP/a-HSEIC [9] DP [11] PASSED/H (50-15) [12] SEC-SEC***Scheduled on - Date:2021-03-15 Time: 08:30 Location: Via Webcast****Updated on - Date:2021-03-08****Introduced on - Date:2021-02-09**[HB 266 PDF](#) | [HB 266 FIR](#)**Bill Action History****Date [Legislative Day]Action**

2021-03-08 [12] SINT - Sent to location  
 2021-03-06 [11] HCAL - Passed the House of Representatives  
 2021-03-03 [9] HSEIC - Do Pass - Temporary Calendar  
 2021-02-22 [6] HEC - Do Pass as Amended  
 2021-02-09 [2] - Sent to location

**Next Step**

➡ Senate Education - SEC  
 ➡ Senate Introduction - SINT  
 ➡ House Temporary Calendar - HCAT  
 ➡ House State Government, Elections, and Indian Affairs - HSEIC  
 ➡ House Education - HEC

**Synopsis:**

House Bill 266 (HB 266) changes the requirements for an alternative level one teaching license for special education teachers. HB 266 grandfathers current licensees.

**Analysis:**

House Bill 266 (HB 266) changes the requirements for an alternative level one teaching license for special education teachers. HB 266 grandfathers current licensees.

SECTION 1. Amends Section 22-10A-8 NMSA 1978 (being Laws 2003, Chapter 153, Section 39, as amended by Laws 2011, Chapter 36, Section 1 and by Laws 2011, Chapter 95, Section 2) ALTERNATIVE LEVEL ONE LICENSE to insert a reference to and inserts Subsection B.

B. A person seeking an alternative level one special education license to teach students with disabilities shall be at least eighteen years of age and meet the educational and assessment requirements of Paragraphs (1) through (4) of Subsection A of this section, as applicable. In addition, the person shall serve a 15-week apprenticeship under a level three-A special education teacher while taking related and interwoven coursework at a post-secondary educational institution as specified in this section. Then the section is relettered.

Subsection D is amended to insert alternative level one special education teacher, as follows:

D. An alternative level one or alternative level one special education teacher shall participate in the same mentorship, evaluation and other professional development requirements as other level one teachers.

SECTION 2. SAVING CLAUSE is inserted to provide:

Persons holding alternative level one special education licenses on July 1, 2022 are not required to apply for a new license.

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2022.

HB 269 MEDICAL RECORD DISCLOSURE (Zachary J Cook)

**Position: Priority: Category:****Current Location: SHPAC****Referrals: HHC/HJC/SHPAC***[2] HHC/HJC-HHC [9] DP/a-HJC [11] DP [12] PASSED/H (68-0) [14] SHPAC-SHPAC***Scheduled on - Date:2021-03-14 Time: 14:00 Location: Via Webcast****Updated on - Date:2021-03-12****Introduced on - Date:2021-02-09**[HB 269 PDF](#) | [HB 269 FIR](#)**Bill Action History**

**Date [Legislative Day]**

2021-03-12 [14]  
 2021-03-11 [12]  
 2021-03-09 [11]  
 2021-03-01 [9]  
 2021-02-09 [2]

**Action**

SINT - Sent to location  
 HCAL - Passed the House of Representatives  
 HJC - Do Pass - Temporary Calendar  
 HHC - Do Pass as Amended  
 - Sent to location

**Next Step**

- ➔ Senate Health & Public Affairs - SHPAC
- ➔ Senate Introduction - SINT
- ➔ House Temporary Calendar - HCAT
- ➔ House Judiciary - HJC
- ➔ House Health and Human Services - HHC

**Synopsis:**

House Bill 269 (HB269) Relating to medical records by allowing disclosures for treatment, payment, and other activities.

**Analysis:**

HB 269 makes modifications to the use and disclosure section for electronic health care information.

Language in the Act provides that when information is requested from an individual's electronic medical information by a record locator service or a health information exchange, they may do so under the proviso of a new Subparagraph listed below.

An additional subparagraph is added to Subparagraph G with a new Subparagraph 3, to state: "(3) to a provider, health care institution or health care group purchaser for treatment, payment or healthcare operation activities, in compliance with the federal Health Insurance Portability and Accountability Act of 1996 and the regulations promulgated pursuant to that act, and if applicable, in compliance with 42 U.S.C. Section 290dd-d and the regulations promulgated pursuant to that section."

Electronic Medical Records Act Section 24-14B-6 NMSA 1978 (being Laws 2009, Chapter 69, Section 6)

A parallel bill, SB 282 has been introduced in the Senate.