

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 2 ACUPUNCTURE AND ORIENTAL MEDICINE PRACTITIONERS
PART 9 CONTINUING EDUCATION

16.2.9.1 ISSUING AGENCY: New Mexico Board of Acupuncture and Oriental Medicine.
[16.2.9.1 NMAC - Rp 16 NMAC 2.9.1, 12-1-01]

16.2.9.2 SCOPE: All licensed doctors of oriental medicine and all licensed doctors of oriental medicine certified for expanded practice as defined in 16.2.19 NMAC.
[16.2.9.2 NMAC - Rp 16 NMAC 2.9.2, 12-1-01; A, 11-28-09]

16.2.9.3 STATUTORY AUTHORITY: This part is promulgated pursuant to the Acupuncture and Oriental Medicine Practice Act, Sections 61-14A-8, 8.1, 9, and 15, NMSA 1978.
[16.2.9.3 NMAC - Rp 16 NMAC 2.9.3, 12-1-01; A, 11-28-09]

16.2.9.4 DURATION: Permanent.
[16.2.9.4 NMAC - Rp 16 NMAC 2.9.4, 12-1-01]

16.2.9.5 EFFECTIVE DATE: December 1, 2001, unless a later date is cited at the end of a section.
[16.2.9.5 NMAC - Rp 16 NMAC 2.9.5, 12-1-01]

16.2.9.6 OBJECTIVE: This part defines continuing education requirements for doctors of oriental medicine and all licensed doctors of oriental medicine certified for expanded practice as defined in 16.2.19 NMAC.
[16.2.9.6 NMAC - Rp 16 NMAC 2.9.6, 12-1-01; A, 3-7-03; A, 11-28-09]

16.2.9.7 DEFINITIONS: Refer to definitions in 16.2.1.7 NMAC.
[16.2.9.7 NMAC - Rp 16 NMAC 2.9.7, 12-1-01; A, 02-15-05; A, 02-08-13]

16.2.9.8 CONTINUING EDUCATION:

A. A doctor of oriental medicine shall complete continuing education in oriental medicine equivalent to that required by the national certification commission for acupuncture and oriental medicine (NCCAOM). A doctor of oriental medicine shall submit to the board at the time of license renewal either of the following:

- (1)** proof of continuing NCCAOM recertification in oriental medicine, acupuncture or Chinese herbology;
- (2)** proof of completion of fifteen (15) hours annually, or sixty (60) hours every four (4) years, of NCCAOM approved continuing education courses or of courses approved by other acupuncture or oriental medicine licensing authorities; or
- (3)** a course taken for initial certification in expanded practice may not also be used for continuing education required for annual license renewal.

B. A doctor of oriental medicine who is a board approved examiner, examiner supervisor, or examiner trainer, for the clinical skills examination, shall be granted continuing education credit for time spent functioning as an examiner or training to be an examiner. This also applies to an observing board member who has completed the training. The continuing education credit is limited to six (6) hours per year.

C. The board shall annually audit a random ten (10) percent of continuing education documentation to determine the validity of the documentation.

D. A doctor of oriental medicine who provides the board with false information or makes a false statement to the board may be subject to disciplinary action, including denial, suspension or revocation of licensure, pursuant to NMSA 1978, Section 61-14A-17, and the Uniform Licensing Act, NMSA 1978, Section 61-1-1, et seq.

E. A doctor of oriental medicine shall maintain an understanding of the current act and rules.
[16.2.9.8 NMAC - Rp 16 NMAC 2.9.8, 12-1-01; A, 10-1-03; A, 02-15-05; A, 9-25-06; A, 11-28-09; A/E, 06-15-10; A/E, 06-15-10; Re-pr, 11-28-10; A, 02-08-13; A, 03-02-14; A, 6-16-15]

16.2.9.9 CONTINUING EDUCATION FOR LICENSEES CERTIFIED FOR EXPANDED PRACTICE: In addition to the continuing education requirements listed in 16.2.9.8 NMAC, doctors of oriental medicine previously certified in expanded practice are subject to the following requirements beginning August 1, 2013:

A. a doctor of oriental medicine certified for expanded practice in one (1) or more areas as defined in 16.2.19 NMAC shall complete continuing education hours as follows:

- (1) three (3) hours every three (3) years for recertification in basic injection therapy;
- (2) seven (7) hours every three (3) years for recertification in injection therapy;
- (3) seven (7) hours every three (3) years for recertification in intravenous therapies; and
- (4) seven (7) hours every three (3) years for recertification in bioidentical hormone therapy;
- (5) except that a doctor of oriental medicine recertifying in injection therapy or intravenous therapy need not complete an additional three (3) hours in basic injection therapy;
- (6) a doctor of oriental medicine certified in basic injection therapy, injection therapy or intravenous therapy must complete an American society of health-systems pharmacists (ASHP) accredited course relative to USP 797 prior to July 31, 2016; and every six (6) years thereafter; and
- (7) doctors of oriental medicine previously certified as Rx1 shall need seven (7) hours, every three (3) years, for recertification in prolotherapy as specified in 16.2.19.16 NMAC.

B. license holders who are newly certified for expanded practice shall complete continuing education hours on a prorated basis during the first year(s) of certification, and then shall comply with recertification requirements every three (3) years thereafter;

C. courses approved for recertification taken within one hundred twenty (120) days prior to a renewal cycle may be carried over and applied to the next renewal cycle, but may not be used for both renewal cycles.

D. the continuing education shall be about substances in the board approved appropriate expanded practice formulary or formularies defined in 16.2.20 NMAC or updated information in improving current techniques or [new and advanced] other techniques that are part of the expanded practice certification as defined in 16.2.19 NMAC;

E. continuing education courses, including teachers, shall be approved by the board:

(1) course providers requesting approval for Rx continuing education certification shall be required to submit the following materials to the board for approval no less than forty five (45) days prior to the date of the course offering and the materials shall include:

- (a) an application fee as defined in Subsection C of 16.2.10.9 NMAC;
- (b) course description, including objectives, subject matter, number of hours, date time and location; and
- (c) curriculum vitae of the instructor(s) including previous experience of at least five (5) years in subjects they are engaged to teach;

(2) courses approved by national providers of continuing medical education(CME) are recognized by the board as approved providers for expanded practice continuing education units (CEU) including but not limited to A4M, ACAM, AMA, IFM;

(3) individual practitioners requesting approval for a specific course that has not already been approved as defined in Paragraph (2) of Subsection D of 16.2.9.9 NMAC, for their own personal continuing education shall submit a copy of the course brochure including a course description, subject matter, contact hours, and curriculum vitae of the instructor forty five (45) days prior to the course offering;

(4) the continuing education committee shall meet each month on or before the fifteenth (15th) to review course materials if applications have been submitted; electronic review is acceptable;

(5) a doctor of oriental medicine certified for expanded practice in basic injection, injection or intravenous therapies must remain current in basic life support, BLS, and CPR with proof of having completed an American heart association approved course; hands-on supervised practice of clinical skills is required; the didactic portion may be completed on-line; a current copy of this card shall be submitted to the board at the time of each triennial expanded practice certification renewal; and

F. teaching an approved continuing education course shall be equivalent to taking the approved course; the first time that the course is offered continuing education that is appropriate for regularly licensed doctors of oriental medicine shall not be considered as fulfilling the above requirements for expanded practice continuing education; the board may determine specific mandatory courses that must be completed; specific mandatory courses shall be noticed at least six (6) months prior to the date of the course; exceptions to being required to complete a specific mandatory course may be made for good cause.

[16.2.9.9 NMAC - N, 10-1-03; A, 02-15-05; A, 11-28-09; A, 02-08-13; A, 03-02-14; A, 6-16-15; A, 9-15-15]

History of 16.2.9 NMAC:

Pre-NMAC History: None.

History of Repealed Material:

16 NMAC 2.9, Continuing Education (filed 6-14-96) repealed effective 12-1-01.

Other History:

16 NMAC 2.9, Continuing Education (filed 6-14-96) was replaced by 16.2.9 NMAC, Continuing Education, effective 12-01-01.