

This is an amendment to 16.16.13, Sections 8 and 11, effective 03-22-2008

16.16.13.8 CONTINUING EDUCATION REQUIREMENTS: A minimum of ~~[sixteen (16)]~~ twenty-two (22) clock hours of optometry related, board approved continuing education or postgraduate programs are required for license renewal each year beginning July 1, 2009.

A. Ocular therapeutics requirement. ~~[Optometrists holding certificates in ocular therapeutics must attend a minimum of six (6) hours per year of]~~ For optometrists holding certificates in ocular therapeutics, at least ten (10) of the twenty-two (22) hours of continuing education must be in a board approved program in ocular therapeutic pharmacology. [These six hours are not in addition to the sixteen (16) hour requirement stated above.]

B. Time requirements within renewal period. The continuing education must have been taken within the preceding renewal period (i.e. July 2 of one year through June 30 of the next).

C. Certificates of attendance. Licensees are required to submit copies of certificates of attendance for the required continuing education.

D. Certificate submission with renewal. The copies of the certificates of attendance must accompany the completed and signed renewal application form and renewal fee.

E. License expiration due to non-renewal for failure to meet the continuing education requirement. Failure of the licensee to meet the continuing education requirements for renewal the expiration date shall be grounds for expiration of the license on the grounds that the renewal application was not duly and properly made as required by board regulations.

F. Reactivation of license expired due to non-renewal for failure to meet the continuing education requirement. The licensee may apply for license reactivation in the same manner as provided in Part 11 of 16.16 NMAC. The continuing education and fees will be calculated based on the number of years the license was expired due to non-renewal for failure to meet the continuing education requirement.

G. Newly licensed optometrists who graduated from optometry school within the same year of licensure may submit the completed curriculum of their last year of optometry school to meet their continuing education requirement the first year of renewal.
[11-17-73; 2-6-87; 10-14-95; 10-15-97; 2-15-99; 16.16.13.8 NMAC - Rn, 16 NMAC 16.13.8, 03-15-2001; A, 03-15-2004; A 03-22-2008]

16.16.13.11 EXTENUATING CIRCUMSTANCES - DEFERRAL OR WAIVER CONTINUING EDUCATION REQUIREMENT.

A. A licensee has twelve (12) months to complete the ~~[sixteen (16)]~~ twenty-two (22) hours of continuing education required to renew a license.

B. A licensee may request in writing, at least thirty (30) days prior to the license's expiration, an emergency deferral or waiver of the continuing education requirement should any of the following occur:

- (1) licensee experiences prolonged debilitating illness; or
- (2) one of licensee's immediate family members suffers prolonged debilitating illness; or
- (3) licensee is called to active duty by the national guard, any branch of the United States armed forces, or other recognized public service.

C. The written request for deferral or waiver shall contain an explanation of the underlying circumstance and shall include documentation in support of the request. At its discretion, the board may grant the request.

[16.16.13.11 NMAC - N, 03-10-2005; A, 03-22-2008]