

PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Chiropractic Board will hold a rule hearing on Friday, June 21, 2019, at 10:00 a.m. Following the rule hearing, the Board will convene a board meeting to adopt the rules and take care of regular business. The rule hearing and board meeting will be held at the New Mexico Regulation and Licensing Department, 2550 Cerrillos Road, Santa Fe, NM, in the Rio Grande Room.

The purpose of the rule hearing is to consider a repeal and replacement of rules for the Board which appear at 16.4.1 NMAC through 16.4.23 NMAC. The proposed rules and repeal and replacement updates the Board's existing rules including:

(1) correcting grammatical and typographical errors and reformatting to improve organization and provide uniformity for the application of the rules; (2) updating the Board's name so that it comports with the name in the Chiropractic Physician Practices Act; (3) amending provisions applicable to all types of licensees; (4) updating the requirements for who can provide continuing education certification for licensees, clarification of definitions; and (5) amending and providing clarification for the reinstatement of lapsed licenses. The amendments, revisions and clarification were made to the following rules:

- 16.4.1 - NMAC General Provisions
- 16.4.2 - NMAC Temporary Licensure
- 16.4.3 - NMAC Requirements for Licensure
- 16.4.4 - NMAC Licensure Without Examination
- 16.4.5 - NMAC Criteria for Determination of Equivalency to Council of Chiropractic Education C.C.E.
- 16.4.6 - NMAC Examinations
- 16.4.7 - NMAC Impaired Practitioner Programs
- 16.4.8 - NMAC Disciplinary Proceedings
- 16.4.9 - NMAC License Renewal Procedures
- 16.4.10 - NMAC Continuing Education
- 16.4.11 - NMAC Forfeiture of License
- 16.4.12 - NMAC Classification of Chiropractic Licensure
- 16.4.13 - NMAC Reinstatement of Chiropractic Licensure
- 16.4.14 - NMAC Management of Medical Records
- 16.4.15 - NMAC Chiropractic Advanced Practice Certification Registry
- 16.4.16 - NMAC Parental Responsibility Act Compliance
- 16.4.17 - NMAC Supervision of Interns
- 16.4.18 - NMAC Practice Procedures
- 16.4.19 - NMAC Chiropractic Assistants
- 16.4.20 - NMAC Advertising
- 16.4.22 - NMAC Fees
- 16.4.23 - NMAC Licensure for Military Veterans, Spouses, And Veterans

To obtain and review copies of the proposed changes and public comments you may go to the Board's website at: http://www.rld.state.nm.us/boards/Chiropractic_Examiners_Rules_and_Laws.aspx or contact the Boards and Commissions Division at (505) 476-4622.

The Board is currently accepting public comments on the proposed amendments. Please submit written comments on the proposed changes to Nicolas Alderete, Board Administrator, via electronic mail at: Chiropractic.board@state.nm.us or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than June 20, 2019. Persons will also be given the opportunity to present their comments at the rule hearing. All public comment received prior to the meeting will be posted on the board's website.

An individual with a disability who is in need of the reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing, please contact Nicolas Alderete, Board Administrator at (505)-476-4622.

Statutory Authority: NMSA 1978, Sections 61-4-1 to 61-4-17

Summary of Proposed Changes:

16.4.1 NMAC, 16.4.2.1 NMAC, 16.4.3.1 NMAC, 16.4.4.1 NMAC, 16.4.5.1 NMAC, 16.4.6.1 NMAC, 16.4.7.1 NMAC, 16.4.8.1 NMAC, 16.4.9.1 NMAC, 16.4.10.1 NMAC, 16.4.11.1 NMAC, 16.4.12.1 NMAC, 16.4.13.1 NMAC, 16.4.14.1 NMAC, 16.4.15.1 NMAC, 16.4.16.1 NMAC, 16.4.17.1 NMAC, 16.4.18.1 NMAC, 16.4.19.1 NMAC, 16.4.20.1 NMAC, 16.4.22.1 NMAC, 16.4.23.1 NMAC

The changes for the above renames the Issuing Agency from New Mexico Board of Chiropractic Examiners to New Mexico Chiropractic Board which is consistent with the title used in the Chiropractic Physician Practices Act.

16.4.1 NMAC - General Provisions

No new rules. Changes name of board to comport with the statute and provides corrections to grammatical and typographical errors and enumeration of statute Sections

16.4.2 NMAC - Temporary Licensure

No new rules. Changes name of board to comport with the statute provides corrections to grammatical and typographical errors.

16.4.3 NMAC - Requirements for Licensure

Changes name of the board to comport with the statute, provides corrections to grammatical and typographical errors, and adds one new rule.

16.4.3.9 NMAC - New Licensee Presentment to the Board

Adds a provision to this rule that provides the Board the opportunity to meet the newly licensed doctors of chiropractic and to instruct the new doctors of chiropractic as to the role of the board and to impress upon the new doctors the importance of knowing the rules/regulations under which they must practice.

16.4.4 NMAC - Licensure Without Examination

No new rules. Changes the name of the Board to comport with the statute.

16.4.5 NMAC - Criteria for Determination of Equivalency to Council of Chiropractic Education C.C.E.

No new rules. Changes name of board to comport with statute.

16.4.6 NMAC - Chiropractic Practitioners Examination

No new rules. Changes name of board to comport with the statute and corrects grammatical and typographical errors.

16.4.7 NMAC - Impaired Practitioners Program

No new rules. Changes name of board to comport with the statute, corrects enumeration of statute Sections, and corrects grammatical and typographical errors.

16.4.8 NMAC - Disciplinary Proceedings

No new rules. Changes name of board to comport with the statute, corrects grammatical and typographical errors.

16.4.9 NMAC - License Renewal Procedures

No new rules. Changes name of board to comport with the statute, corrects grammatical and typographical errors.

16.4.10 NMAC - Continuing Education

16.4.10 Part 10 is repealed and replaced to provide updates and clarification regarding the calculation of continuing education credit hours, approval of continuing education courses, establishing continuing education requirements for new licensees, and correcting any typographical and grammatical errors.

16.4.11 NMAC - Forfeiture of License

No new rules. Changes name of the board to comport with the statute and corrects enumeration of a Subsection.

16.4.12 NMAC - Classification of Chiropractic License

No new rules. Changes name of the board to comport with the statute, corrects typographical and grammatical errors and corrects enumeration of Subsections.

16.4.13 NMAC - Reinstatement of Chiropractic License

No new rules. Changes name of board to comport with the statute, corrects typographical and grammatical errors and corrects enumeration of statute Section.

16.4.14 NMAC - Management of Medical Records

No new rules. Changes name of board to comport with the statute and corrects enumeration of a statute subsection.

16.4.15 NMAC - Chiropractic Advanced Practice Certification Registry

16.4.15 - Part 15 is repealed and replaced to provide updates to the board name to comport with statute, provide updates and clarification regarding advanced practice chiropractic certification requirements and reinstatement of licenses, adds a new rule regarding the carry-over of continuing education credits, provides for a consent form for any injections and corrects any typographical or grammatical errors.

16.4.16 NMAC - Parental Responsibility Act Compliance

No new rules. Changes name of the board to comport with the statute and corrects for enumeration of 40-5A-1 to 40-5A-13 NMSA.

16.4.17 NMAC - Supervising Interns

No new rules. Changes name of the board to comport with the Statute, corrects typographical and grammatical errors and enumeration of statute Sections.

16.4.18 NMAC - Practice Procedures

Changes name of the board to comport with the statute. Additions to the procedures and the addition of the phrase “and certified by programs approved by the board” X-ray was added to the list of procedures as a diagnostic procedure. NCV or needle EMG was added to clarify the different types of EMG that may be used and the additional wording about certified programs approved by the board is necessary to clarify the level of training required by the board.

16.4.19 NMAC - Chiropractic Assistants

No new rules. Changes name of the board to comport with the statute, adds board address, corrects enumeration of statute Sections, and corrects sentence in 16.4.19.6 to replace the word Physician with the word assistant and the word of with by.

16.4.20 NMAC - Advertising

No new rules. Changes name of the board to comport with the statute and corrects typographical and grammatical errors.

16.4.22 NMAC - Fees

No new rules. Changes name of the board to comport with the statute and changes Enumerations of statue Sections.

16.4.23 NMAC - Licensing for Military

No new rules. Changes name of the board to comport with the Statute.