

**NOTICE OF PUBLIC RULE HEARING**

The New Mexico Medical Board will convene a regular Board Meeting on Thursday, August 8, 2019 at 8:30 a.m. and Friday, August 9, 2019 at 8:30 a.m., and conduct a Public Rule Hearing on Friday, August 9, 2019 at 10:20 a.m. at the New Mexico Medical Board office conference room, located at 2055 South Pacheco St., Bldg. 400, Santa Fe, NM 87505. The Board will reconvene after the Hearing to take action on the proposed rule amendments. The Board may enter into Executive Session during the meeting to discuss licensing or limited personnel issues.

The purpose of the Rule Hearing is to consider repealing and replacing 16.10.16 NMAC (Administering, Prescribing, and Distribution of Medications). A copy of the proposed amended rule is available upon request from the Board office at 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505, by phone (505) 476-7220, or on the Board's website at [www.nmmb.state.nm.us](http://www.nmmb.state.nm.us).

The hearing will be conducted in accordance with the Medical Practice Act, Section 61-6-5. B NMSA 1978, the Uniform Licensing Act Section 61-1-1 through 61-1-31 NMSA 1978, the State Rules Act, Section 14-4-5.3 NMSA 1978 and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views or arguments orally or in writing. The New Mexico Medical Board will consider all written comment on the proposed repeal and replacement of 16.10.16 NMAC that is submitted to the Board no later than 5:00 p.m. Monday, August 5, 2019. Comment must be sent to the New Mexico Medical Board, Attn: Sondra Frank, Esq., Executive Director, 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505. All public comments may be received via mail, electronic mail or fax and will be posted on the Board's website at [www.nmmb.state.nm.us](http://www.nmmb.state.nm.us) within three days of receipt by the Board. All public comments will be made part of the official rule hearing record.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service in order to attend or participate in the meeting or rule hearing, please contact Amanda Quintana at 505-476-7230 or [AmandaL.Quintana@state.nm.us](mailto:AmandaL.Quintana@state.nm.us) prior to the meeting. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Executive director if a summary or other type of accessible format is needed.

**NOTICE OF RULEMAKING**

The New Mexico Medical Board may consider the following items of rulemaking at the meeting:

**Repeal**

16.10.16 NMAC                      Administering, Prescribing and Distribution of Medications

**Replacement**

16.10.16 NMAC                      Administering, Prescribing and Distribution of Medications

**16.10.16 NMAC Administering, Prescribing and Distribution of Medications.**

**SYNOPSIS:**

The proposed replacement of 16.10.16 updates the intent of part 16 regarding the administering, prescribing and distribution of medications by physician assistants. The statutory authority for the New Mexico Medical Board's promulgation of this rule is found in the Medical Practice Act (Sections 66-6-1 to -35 NMSA 1978).

The purpose of amending the Part 16 is to conform the regulations to House Bill 215 2017 statutory amendments. Amongst other things, the PA statutory amendment added "collaboration" as a possible status for PAs and added distribution to PA prescribing abilities. The regulation changes are also necessary because the current rule on PA prescribing reflects requirements which have not been statutorily required for many years, including a formulary, direct physician oversight and limits on prescribing.

Specifically, any reference to a formulary is deleted; requirements for physician assistant prescription pads is deleted; and limitations to prescribing by physician assistants is added.