

PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board (“Board”) will hold a rule hearing on Friday, October 25, 2019, at 9:00 a.m. Following the rule hearing, the Board will convene a board meeting to consider adoption of the rules and address regular business. The rule hearing and board meeting will be held at the New Mexico Commission for the Deaf and Hard of Hearing, Compass Bank Building, 505 Marquette Avenue NW, Albuquerque, New Mexico, in Suite 1550.

The purpose of the rule hearing is to consider proposed amendments to the following rules:

16.26.2 NMAC – Licensure Requirements;
16.26.4 NMAC – Renewal of Licenses;
16.26.6 NMAC – Fees;
16.26.9 NMAC – Code of Ethics; and
16.26.11 NMAC – Licensure for Military Service Members, Spouses, and Veterans

The changes to Parts 2, 4, 6, 9, and 11 of the Board’s rules are primarily intended to address the changes to the Speech-Language, Pathology, Audiology, and Hearing Aid Dispensing Practices Act (“Act”), NMSA, 1978, Sections 61-14B-1 through -25, (1991, as amended through 2019), which occurred this past Legislative Session. *See* H.B. 48, 54th Leg., 1st Sess. (N.M. 2019), available at: <https://www.nmlegis.gov/Sessions/19%20Regular/final/HB0048.pdf>. The most significant change to the Act was to provide the Board with the authority to adopt a code of ethics that includes rules requiring audiologists and hearing aid dispensers to inform prospective purchasers about hearing aid options that can provide a direct connection between the hearing aid and assistive listening systems. The changes to Part 9 of the Board’s rules, are intended to incorporate language required by House Bill 48. The changes are intended to comply with the provisions of the Act, incorporate more consistent terminology, and clarify existing provisions.

To obtain and review copies of the proposed changes you may go to the Board’s website at: http://www.rld.state.nm.us/boards/Speech_Language_Pathology_Audiology_and_Hearing_Aid_Dispensing_Practices_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 Lori Sciacca, Board Administrator, via electronic mail at speech.hearing@state.nm.us or by regular mail at PO Box 25101, Santa Fe, NM 87504, no later than Thursday, October 24, 2019. Persons will also be given the opportunity to present their comments at the rule hearing. All written comments will be posted to the Board’s website at: http://www.rld.state.nm.us/boards/Speech_Language_Pathology_Audiology_and_Hearing_Aid_Dispensing_Practices_Rules_and_Laws.aspx, no more than three business days following receipt to allow for public view.

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

Statutory Authority: The Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practice Act, Sections 61-14B-1 to -25, NMSA 1978, among other provisions, specifically authorizes the Board to “adopt and file rules necessary to carry out the provisions of the Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practice Act.”

Summary of Proposed Changes:

In addition to making minor clarification changes, the proposed rules are summarized as follows:

16.26.2 NMAC - Licensure Requirements

The amendments to Part 1 clarify the requirements for licensure as a speech-language pathologist, and correct typographical and grammatical errors.

16.26.4 NMAC - Renewal of Licenses

The amendments to Part 4 adds provisions to ensure initial licenses are not issued for greater than 24 months. Language regarding payment of a late penalty fee is removed as it has been deemed unnecessarily burdensome for licensees.

16.26.6 NMAC - Fees

The amendments to Part 6 increase the renewal fee amount for speech-language pathologists and audiologists and deletes fees for dual licensure as there are no provisions for dual licensure provided for anywhere else within rule.

16.26.9 NMAC - Code of Ethics

The amendments to Part 9 adds language to comport with House Bill 48, requiring audiologists and hearing aid dispensers to inform prospective purchasers about hearing aid options that can provide a direct connection between the hearing aid and assistive listening systems.

16.26.11 NMAC - Licensure for Military Service Members, Spouses, and Veterans

The amendments to Part 11 adds provisions to ensure initial licenses are not issued for greater than 24 months.