

This is an emergency amendment to 16.10.15 NMAC, Section 7 and adding 21 effective 4/17/2020.

16.10.15.7 DEFINITIONS:

- A.** “AAPA” means American academy of physician assistants.
- B.** “Interim license” means permission issued by the board that allows a physician assistant to practice for one year pending completion of all licensing requirements.
- C.** “Effective supervision” means the exercise of physician oversight, control, and direction of services rendered by a physician assistant. Elements of effective supervision include:
- (1) on-going availability of direct communication, either face-to-face or by electronic means;
 - (2) active, ongoing review of the physician assistants services, as appropriate, for quality assurance and professional support;
 - (3) a predetermined plan for emergency situations; and
 - (4) identification of other supervising physicians, as appropriate to the practice setting.
- D.** “Lapsed” means a license that has not been renewed by March 1 of the expiration year and has been suspended for non-renewal. A license that has lapsed is not valid for practice in New Mexico.
- E.** “Collaboration” means the process by which a licensed physician and physician assistant jointly contribute to the health care and treatment of patients; provided that:
- (1) each collaborator performs actions that the collaborator is licensed or otherwise authorized to perform; and
 - (2) collaboration shall not be construed to require the physical presence of the licensed physician at the time and place services are rendered by the collaborating physician assistant.
- F.** “Collaborating Physician” means a physician who holds a current unrestricted license and does not assume legal responsibility for the health care performed by the collaborating physician assistant. A physician under an active monitoring contract with the New Mexico monitored treatment program who meets the other qualifications of this subsection may also act as a collaborating physician.
- G.** “Criminal history record” means information concerning a person’s arrests, indictments, or other formal criminal charges and any dispositions arising there from, including convictions, dismissals, acquittals, sentencing and correctional supervision, collected by state or federal criminal justice agencies or their political subdivisions and stored in the computerized databases of the federal bureau of investigation, the national law enforcement telecommunications systems, the department of public safety or the repositories of criminal history information in other states or their political subdivisions.
- H.** “Criminal history screening” means a criminal history background investigation of an applicant for licensure by examination or endorsement, or a licensee applying for licensure renewal, through the use of fingerprints reviewed by the department of public safety and submitted to the federal bureau of investigation, resulting in the generation of a nationwide criminal history record for that applicant.
- I.** “Major disaster” means a declaration of a major disaster by the federal emergency management agency (FEMA).
- ~~[I.]~~ **J.** “NCCPA” means national commission on certification of physician assistants.
- ~~[J.]~~ **K.** “Primary Care” means health care provided by a healthcare provider who typically acts as the first contact and principal point of continuing care for patients and coordinates other specialist care or services that the patient may require. Primary care specialties are combined internal medicine and pediatrics, family medicine, general internal medicine, geriatrics (gerontology), general obstetrics and gynecology and general pediatrics.
- ~~[K.]~~ **L.** “Direct communication” means communication between the supervising physician and physician assistant, in person, telephonically, by email or other electronic means.
- ~~[L.]~~ **M.** “Scope of practice” means:
- (1) For a supervised physician assistant, means duties and limitations of duties placed upon them by their supervising physician and the board and includes the limitations implied by the field of practice of the supervising physician; and
 - (2) For a collaborating physician assistant, means those duties which are within their education, training, and experience pursuant to Section 61-6-6 NMSA 1978.
- ~~[M.]~~ **N.** “Supervising physician” means a physician who holds a current unrestricted license, provides a notification of supervision, assumes legal responsibility for health care tasks performed by the physician assistant and is approved by the board. A physician under an active monitoring contract with the New Mexico monitored

treatment program who meets the other qualifications of this subsection may also act as a supervising physician.

~~[N.]~~ **Q. “Suspended for non-renewal”** means a license that has not been renewed by May 31 of the expiration year, and is lapsed, which is a non-disciplinary action.

~~[O.]~~ **P. “Military service member”** means a person who is serving in the armed forces of the United States or in a reserve component of the armed forces of the United States, including the national guard, or the spouse of such an individual.

~~[P.]~~ **Q. “Recent veteran”** means a person who has received an honorable discharge or separation from military service within the two years immediately preceding the date the person applies for a physician assistant license pursuant to section 16.10.15.17 NMAC. The veteran shall submit a copy of form DD214, or its equivalent, as part of the application process.

[16.10.15.7 NMAC - Rp, 16.10.15.7 NMAC, 1/16/2018; A/E, 4/17/2020]

16.10.15.21 PROVISIONS FOR PHYSICIAN ASSISTANT LICENSURE DURING A DECLARED DISASTER: The board may waive documentation requirements for any new or pending applications when the disaster delays or prohibits the procuring of the required documents. The board will determine the length of time the emergency provisions will be in effect for each major disaster that results in applications for a federal emergency license.

A. Federal emergency license. The board may waive specific requirements in Subsections B and D of 16.10.15.9 NMAC if the applicant is unable to obtain the documentation from individuals or institutions located in the disaster area.

B. License expiration. Initial federal emergency licenses shall be valid for not less than three months or more than fifteen months. Licenses shall be renewed on March 1 following the date of issue, pursuant to 16.10.15.18 NMAC. The board reserves the right to request additional documentation, including but not limited to recommendation forms and work experience verification forms prior to approving license renewal. At the time a federal emergency license is approved for renewal it will be transferred to a full medical license.

C. License renewal. The temporary federal emergency license may be renewed one time for a period of not more than twelve months with a prorated fee of \$75.00, provided the federal emergency is still in effect.

[16.10.15.21 NMAC – N/E, 4/17/2020]