

NOTICE OF PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Board of Dental Health Care will hold a rule hearing on Friday, April 16, 2021, at 8:30 a.m. Following the rule hearing, the Board will convene a regular board meeting to adopt the rules and take care of regular business. The rule hearing and board meeting will be held via Cisco Webex Meetings. Please use the following link:

<https://nmrld.webex.com/nmrld/onstage/g.php?MTID=e7e72cf9a141c27dcf8ee959351ed6c84>

To join the meeting by phone: 1-415-655-0002 United States Toll

Access Code: 187 439 9377

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

- 16.5.1 NMAC - General Provisions
- 16.5.3 NMAC - Mandatory Reporting Requirements
- 16.5.4 NMAC - Emergency Licensure and Certification Provisions
- 16.5.9 NMAC - Non-Dentist Owners
- 16.5.56 NMAC - Parental Responsibility Compliance
- 16.5.59 NMAC - Licensure for Military Service Members, Spouses and Veterans
- 16.5.60 NMAC (New Part) - Dental Therapists, Fees
- 16.5.61 NMAC (New Part) - Dental Therapists, Licensure and Certification
- 16.5.62 NMAC (New Part) - Dental Therapists, Continuing Education Requirements
- 16.5.63 NMAC (New Part) - Dental Therapists, License Expiration and Renewal
- 16.5.64 NMAC (New Part) - Dental Therapists, License Revocation for Non-Renewal
- 16.5.65 NMAC (New Part) - Dental Therapists, Practice
- 16.5.66 NMAC (New Part) - Dental Therapists, Disciplinary Proceedings, License Revocation or Suspension for Disciplinary Actions

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/Dental_Health_Care_Rules_and_Laws.aspx or contact the Boards and Commissions Division at (505) 476-4622.

The Board is currently accepting public written comments on the proposed amendments. Please submit written comments on the proposed changes to Roberta Perea, Board Administrator, via electronic mail at: Dental.Board@state.nm.us, or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than Thursday, April 15, 2021. Written comments received prior to the rule hearing will be posted to the RLD website at: http://www.rld.state.nm.us/boards/Dental_Health_Care_Rules_and_Laws.aspx. Persons will also be given the opportunity to present their written or oral comments at the public rule hearing.

The agenda for the board meeting will be posted and available at least 72 hours before the meeting on the Board website at http://www.rld.state.nm.us/boards/Dental_Health_Care_Members_and_Meetings.aspx. Copies of the rules or the agenda may also be obtained by contacting Roberta Perea, Board Administrator at (505) 476-4622.

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 Roberta Perea, Board Administrator (505) 476-4622.

Statutory Authority: The Dental Health Care Act, NMSA 1978, Sections 61-5A-1 through 61-5A-30, among other provisions, specifically authorizes the Board to "adopt and promulgate in accordance with the Uniform Licensing Act and the State Rules Act all rules for the implementation and enforcement of the Dental Health Care Act." NMSA 1978 § 61-5A-10.

Purpose of the Proposed Rules: The purpose of the rulemaking hearing is to remove U.S. citizenship requirements for licensure in compliance with the 2020 New Mexico legislative change, amend the military service member, family and veteran licensure requirements in compliance with the 2020 New Mexico legislative change, and to clarify, define and adopt rules for the regulation, licensing and disciplining of dental therapists.

Summary of Proposed Changes:

16.5.1 NMAC - General Provisions

The amendments to this part are due to the 2019 statute amendment to include licensure for dental therapists and a 2020 amendment to rescind US citizenship for licensees.

16.5.3 NMAC - Mandatory Reporting Requirements

The amendments to this part are due to the 2019 statute amendment to include licensure for dental therapists.

16.5.4 NMAC - Emergency Licensure and Certification Provisions

The amendments to this part are due to the 2019 statute amendment to include licensure for dental therapists.

16.5.9 NMAC - Non-Dentist Owners

The amendment to this part adds initial and renewal fees for non-dentist owners and a 2020 statute amendment to rescind US citizenship for non-dentist owners.

16.5.56 NMAC - Parental Responsibility Compliance

The amendments to this part are due to the 2019 statute amendment to include licensure for dental therapists.

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

The amendments to this part are due to the 2020 statute amendment to further define military/families and to rescind the application fee for military/families.

16.5.60 NMAC - Dental Therapists, Fee

This is a new part due to the 2019 statute amendment for dental therapists.

16.5.61 NMAC - Dental Therapists, Licensure and Certifications

This is a new part due to the 2019 statute amendment for dental therapists.

16.5.62 NMAC - Dental Therapists, Continuing Education Requirements

This is a new part due to the 2019 statute amendment for dental therapists.

16.5.63 NMAC - Dental Therapists, Licensure Expiration and Renewal

This is a new part due to the 2019 statute amendment for dental therapists.

16.5.64 NMAC - Dental Therapists, License Revocation for non-Renewal

This is a new part due to the 2019 statute amendment for dental therapists.

16.5.65 NMAC - Dental Therapists, Practice

This is a new part due to the 2019 statute amendment for dental therapists.

16.5.66 - NMAC - Dental Therapists, Disciplinary Proceedings, License Revocation or Suspension for Disciplinary Actions

This is a new part due to the 2019 statute amendment for dental therapists.