

**PUBLIC RULE HEARING AND REGULAR BOARD MEETING**

The New Mexico Chiropractic Board will hold a rule hearing on Tuesday, January 21, 2022, at 10:00 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 virtually via Cisco Webex Meetings.

Event address for attendees: <https://nmrld.webex.com/mw3300/mywebex/default.do?siteurl=nmrld&service=6>

Event number: 2483 797 3849

Event password: KCfeumB44V5

To join the meeting by phone, please call:

United States Toll

+1-415-655-0002

Access code: 2483 797 3849

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

16.4.8 NMAC – Disciplinary Proceedings

16.4.13 NMAC – Reinstatement of Chiropractic Licensure

16.4.15 NMAC – Chiropractic Advanced Practice Certification Registry

16.4.22 NMAC – Fees

16.4.23 NMAC – Licensure for Military Service Members, Spouses and Veterans

The amendments to 16.4.8 NMAC are intended to incorporate the legislative changes to the Uniform Licensing Act (“ULA”), NMSA 1978, Section 61-1-36, which requires each board, among other things, to “promulgate and post on the board’s website rules relating to licensing requirements to list the specific criminal convictions that could disqualify an applicant from receiving a license on the basis of a previous felony conviction.”

The amendments to 16.4.23 NMAC is to incorporate the 2021 legislative changes to the ULA, Section 61-1-34, as mandated by HB 120 which relates to expedited licensure for military service members, their spouses, their dependent children and for veterans.

The amendments to 16.4.13 NMAC, 16.4.15 NMAC and 16.4.22 NMAC are intended to comply with the provisions of the Chiropractic Physician Practice Act, NMSA 1978, Sections 61-4-1 through -17, and to clarify and reorganize existing provisions.

To obtain and review copies of the proposed changes you may go to the Board’s website at:

<https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/chiropractic-board/cb-laws-rules-and-policies/>, 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](mailto:Chiropractic.board@state.nm.us) or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than Monday, January 20, 2022. 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: <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/chiropractic-board/cb-laws-rules-and-policies/>, 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 Nicolas Alderete, Board Administrator at (505) 476-4622.

**Statutory Authority:** The Chiropractic Physician Practice Act, Section 61-4-3(F), among other provisions, specifically authorizes the Board to “promulgate and file in accordance with the State Rules Act [Chapter 14, Article 4 NMSA 1978], all rules and regulations necessary for the implementation and enforcement of the Chiropractic Physician Practice Act, including educational requirements for a chiropractic assistant.”

**Summary of Proposed Changes:**

In addition to making minor clarification changes, the proposed rules are summarized as detailed below.

**16.4.8 NMAC – Disciplinary Proceedings**

The amendments to this part add a new section to the rule so that it is in compliance with the 2021 legislative changes made under SB2. The proposed amendments to this rule establish which criminal felony convictions directly relate to the employment or profession of chiropractic that may disqualify an applicant or licensee from holding a license. The proposed amendment also defines how the conviction may and/or may not be used when reviewing an application for licensure or for violation of the Board’s statute or rules by a current licensee.

**16.4.13 NMAC – Reinstatement of Chiropractic Licensure**

The amendments to this part add a subparagraph F which clarifies that reinstatement of automatically terminated advance practice certification registrations must meet requirements established under Subsection G of 16.4.15.8 NMAC.

**16.4.15 NMAC – Chiropractic Advanced Practice Certification Registry**

The amendments to this part are intended to provide clarification regarding when an advance practice certification registration automatically terminates, the requirements that must be met to have an automatically terminated registration reinstated and when an advance practice certification cannot be reinstated. Additional amendments to this part include adopting the consistent use of the term “advance practice certification” and correcting any typographical or grammatical errors.

**16.4.22 NMAC – Fees**

The amendments to this section clarifies the amount of fees that paid by those entities or organizations who submit more than ten (10) continuing education seminars for approval to the Board. The amendments also reorganize and create new subheadings which provide fluidity and clarity for administrative/licensing fees.

**16.4.23 NMAC – Licensure for Military Service Members, Spouses and Veterans**

The amendments to this part includes new language so that the rule is in compliance with the 2021 legislative change regarding HB120 Military Spouses Expedited Licensure. The proposed amendments changes the time for approving an application for license from sixty days to thirty days and removes "recent" from the definition of veteran. The rule also sets out application and renewal requirements.