

This is an amendment to 16.13.1 NMAC, Sections 3, 7, and 12, effective 2/26/2022

16.13.1.3 STATUTORY AUTHORITY: Chapter 13 of Title 16 is promulgated pursuant to the Nursing Home Administrators Act, NMSA 1978 Sections 61-13-1 through 61-13-17 (1993 Repl. Pam.). Section 9 of Part 1 is authorized by ~~[NMSA 1978]~~ Section 61-13-6 NMAC 1978 (1993 Repl. Pam.). Section 10 of Part 1 is authorized by ~~[NMSA 1978]~~ Section 14-2-1 through 14-2-16 NMAC 1978 (1993 Repl. Pam.). Section 11 of Part 1 is authorized by ~~[NMSA 1978]~~ Section 10-15-1.C NMAC 1978 (1993 Repl. Pam.). [2/24/1988; 2/13/1994; 10/31/1995; 16.13.1.3 NMAC - Rn, 16 NMAC 13.1.3, 1/25/2001; A, 2/26/2022]

16.13.1.7 DEFINITIONS:

- A. "AAHSA" means the American association of homes and services for the aging.
- B. "ACHCA" means the American college of health care administrators.
- C. "ACHCE" means the American college of health care executives
- D. "AUPHA" means the association of university programs in health care administration.
- E. [RESERVED]
- F. "Administrator" means the chief executive officer.
- G. "Applicant" means a person who has applied for a license.
- H. "Approval" means the review and acceptance of a specific activity.
- I. "Approval Body" means the agency, institution, or organization with the authorization to award continuing education credit.
- J. "Audit" means an examination and verification of continuing education documents.
- K. [RESERVED]
- L. "Board" means the New Mexico nursing home administrators board.
- M. "CE" means continuing education.
- N. [RESERVED]
- O. "Continuing Education Unit (CEU)" means 10 contact hours (60-minute clock hours) of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction.
- P. "Contact Hours" means a unit of measurement to describe an approved, organized learning experience. One contact hour equals one 60-minute clock hour.
- Q. "Continuing Education" means a learning experience which enhances professional development.
- R. [RESERVED]
- S. "Expired License" means a license which has not been renewed or placed on inactive status on or before the expiration deadline, as provided in 16.13.10 NMAC.
- T. "Hospital Administrator" means the chief executive officer of an acute care facility.
- U. "Inactive Status" means a license which is in good standing but not current, as provided in

16.13.9 NMAC.

- V. "Initial License" means the process of achieving the legal privilege to practice within a professional category upon the completion of educational and other requirements and receiving a passing score on the national licensing examination.
- W. "Institution of Higher Learning" means a college or university.
- X. [RESERVED]
- Y. "Lapsed License" means an expired or inactive status license which has not been reactivated within the time limitations set forth in these rules, as provided in 16.13.9 NMAC.
- Z. "License" means a document identifying the legal privilege and authorization to practice within a professional category.
- AA. "Manager" means the individual who is responsible for the planning, organizing, directing, and controlling of the operations within a department or unit of a nursing home.
- BB. "Must" means required.
- CC. "NAB" means the national association of [~~boards of examiners for nursing home administrators.~~]
long term care administrator boards.
- DD. "NCERS" means the national continuing education review service.
- EE. "NHA" means nursing home administrator.

- FF.** "NMAC" means the New Mexico administrative code.
- GG.** "New Mexico Administrative Code" means the organizing structure for rules filed by New Mexico State agencies. The NMAC is also the body of filed rules and the published versions thereof. The NMAC is structured by title, chapter, and part.
- HH.** "NMHCA" means the New Mexico health care association.
- II.** "NMHSA" means the New Mexico hospitals and health systems association.
- JJ.** "NMSA" means New Mexico statutes annotated.
- KK.** "National Licensing Examination" means any examination for licensure as provided by the national association of [~~boards of examiners for nursing home administrators~~] long term care administrator boards (NAB).
- LL.** "Nursing Home Administrator" means any individual responsible for planning, organizing, directing, and controlling the operation of a nursing home.
- MM.** [RESERVED]
- NN.** "PES" means the professional examination service.
- OO.** "Reactivation" means the process of making current a license which has been expired as a result of failure to comply with the necessary renewal requirements. This process does not usually require board action at any juncture.
- PP.** "Reciprocity" means the process of applying for licensure by providing proof of successful passage of the national licensing exam prior to licensure in another state, and proof of current license in good standing in another state.
- QQ.** "Reinstatement" means the process whereby a license, which has been subject to revocation or suspension, is returned to its former status. The reinstatement process always requires board action.
- RR.** "Relicensure" means the process of renewal, reactivation, or reinstatement of a New Mexico nursing home administrator's license.
- SS.** "Shall" means mandatory; a requirement.
- TT.** "Should" means a suggestion or recommendation; not a requirement.
- UU.** [RESERVED]
- VV.** "ULA" means the Uniform Licensing Act of New Mexico.
- WW.** "Uniform Licensing Act" means Section 61-1-1 to 61-1-33 NMSA 1978 (1993 Repl. Pam.) which provides for hearing procedures to be utilized in disciplinary proceedings.
- XX.** "Verification of Continuing Education" means an official certificate issued at a continuing education activity which provides proof of attendance.
- YY.** "Violation of Practice" means a violation of the New Mexico Nursing Home Administrators Act and the rules and regulations duly adopted by the board.
[2/24/1988; 9/18/1992; 10/31/1995; 16.13.1.7 NMAC - Rn, 16 NMAC 13.1.7, 1/25/2001; A, 2/26/2022]

16.13.1.12 WAIVER: An applicant or licensee may request a waiver of any requirements contained in Title 16, Chapter 13 NMAC. The written request for the waiver shall contain an explanation of the underlying extenuating circumstance and shall include documentation in support of the request. At its discretion, the board may grant the request for waiver.
[16.13.1.12 NMAC – N, 02/26/2022]