

This is an amendment to 16.15.4 NMAC, Sections 8 and 9, effective 2/24/2022.

16.15.4.8 ANNUAL CONTINUING EDUCATION REQUIREMENTS:

A. Every licensed occupational therapist and occupational therapy assistant must earn a minimum of ~~[twenty (20)]~~ 15 continuing education contact hours per year during each year of licensure. Continuing education contact hours must be earned prior to license renewal the following year. The first year during which ~~[twenty (20)]~~ 15 contact hours must be earned is the year beginning on October 1st following license issuance and ending on the following September 30th. Occupational therapists and occupational therapy assistants licensed during the first year will be expected to pay the annual renewal fee. ~~[and may submit continuing education contact hours during this first year for carryover. A maximum of twenty (20) contact hours may be carried over.]~~

B. No license will be renewed in the absence of satisfactory evidence that the required continuing education contact hours have been earned.

C. The board office will ~~[mail a renewal application to each licensee at least thirty (30) days]~~ send electronic notifications to all licensees prior to the expiration date of the license.

D. Each licensee is responsible for submitting the required renewal fee and continuing education by the expiration.

E. Each licensee is responsible for filing address changes and maintaining a current address with the board office.

[16.15.4.8 NMAC - Rp, 16.15.4.8 NMAC, 1/30/2015; A, 2/24/2022]

16.15.4.9 APPROVAL OF CONTINUING EDUCATION:

A. No licensee may obtain credit for any continuing education contact hours without approval of those continuing education contact hours by the board.

B. Prior approval of continuing education contact hours may be obtained upon request by the licensee or continuing education provider. Final determination of values and approval of continuing education contact hours will remain at the discretion of the board.

C. Continuing education contact hours may be earned in the following ways:

(1) Attendance at a seminar, workshop, webinar, on-line course, or program; applicants must provide all of the following:

(a) program agenda with number of contact hours;

(b) evidence that the program attended was sponsored by a component of the American occupational therapy association or some other sponsor approved by the board for continuing education credit;

(c) statement of the program's subject matter and stated objectives;

(d) statement indicating the instructor's background/expertise; and

(e) proof of actual program attendance; such proof shall be a certificate of completion signed by the presenter or program sponsor.

(2) Preparation and presentation of a workshop/in-service. Credit may be given only once for preparation or presentation of the same workshop and the board will determine the number of continuing education contact hours approved. Applicant must provide proof of preparation and presentation. Proof of preparation may be an outline, copy of handouts, presentation slides, and a copy of the agenda showing name of licensee as presenter. Contact hours for the presenter will be calculated at three ~~[(3)]~~ times the number of hours of audience participation (e.g. a two ~~[(2)]~~ hour workshop equals six ~~[(6)]~~ hours for the presenter). ~~[A maximum of twelve (12) contact hours per renewal year is allowed in this area.]~~

(3) Completion of accredited university college or community courses. Applicant must provide the name of the course; number of credit hours; inclusive dates of attendance; completed transcript or grade report with a passing grade of "C" or better, name of instructor and institution; and a brief summary indicating the course's relationship to the licensee's present or future position in the field of occupational therapy. Non-credit community college courses may be accepted at the board's discretion. A maximum of ~~[twenty (20)]~~ 20 contact hours is allowed for a three ~~[(3)]~~ credit course; a maximum of ~~[fifteen (15)]~~ 15 contact hours is allowed for a two ~~[(2)]~~ credit course; and a maximum of ~~[ten (10)]~~ 10 contact hours is allowed for a one ~~[(1)]~~ credit course.

(4) Attendance at workplace in-service programs. The applicant must provide the name of the program; number of hours spent in the program; inclusive dates of attendance; name of the instructor or

supervisor of the program; name of the institution; and a brief course summary indicating the course's relationship to the philosophical tenets of occupational therapy. [~~A maximum of ten (10) contact hours will be allowed in this area.~~]

(5) **Reading a book.** The applicant must provide the name of the book; number of pages; name of the author; and a typewritten summary explaining how the information obtained from the book applies to physical therapy philosophical tenets of occupational therapy. The board may approve, on an individual basis, up to two [(2)] contact hours for each book read. [~~A maximum of four (4) contact hours will be allowed in this area.~~]

(6) **Writing a book.** The applicant must provide a copy of the book written. The book will be returned to the licensee upon request.

(a) The book must have been copyrighted in the year for which the continuing education contact hours are requested.

(b) Up to [~~forty (40)] 40 contact hours may be awarded at the board's discretion.~~

(7) **Audio or Visual Media.** An applicant must provide the title of the audio and visual media; the length of presented material, time; name of the presenter; and a summary of the presentation and how it pertains to the philosophical tenets of occupational therapy. [~~A maximum of ten (10) contact hours per year is allowed in this area.~~]

(8) **Presentation of a paper.** The applicant must provide a copy of the paper along with the duration and location of the presentation. The presentation must have been made in the year for which the continuing education contact hours are requested. Credit may be given only once for any individual presentation and the board will determine the number of continuing education contact hours approved.

(9) **Publication of a paper or article.** The applicant must provide a copy of the published paper, which must have been published prior to license renewal. Publication must be in a recognized journal or publication. The board will determine the number of continuing education contact hours approved.

(10) **Conducting research.** The board will determine the number of continuing education contact hours approved. The applicant must provide the following:

(a) title and description of research project, including brief timeline;

(b) names of other persons involved in project (i.e., co-investigators or

supervisors);

(c) a brief statement indicating philosophical tenants of occupational therapy;

(d) provide a copy of the completed annual research report.

(11) **Specialty/certification programs.** Applicants or licensees wishing to receive continuing education for certification programs must submit a certificate of completion signed by the program sponsor. The licensee or applicant must indicate how the specialty/certification maintains the philosophical tenets of occupational therapy. The board will determine the number of continuing education contact hours approved.

(12) **Supervising level II fieldwork.** Applicants should provide a copy of the student evaluation (cover and signature pages only). The student's name should be blacked out for confidentiality. A maximum of [~~twelve (12)] 12 contact hours will be approved for each OT fieldwork II rotation of [~~twelve (12)] 12 weeks. A maximum of eight [(8)] contact hours will be approved for each OTA fieldwork II rotation of eight [(8)] weeks. [~~A maximum of twelve (12) contact hours per renewal year is allowed in this area.~~]~~~~

(13) **Mentoring.** Applies to an OT or OTA who has been practicing at least one [(4)] year prior to entering a new area of practice only. Mentoring shall occur for a minimum of six [(6)] months and no longer than one [(4)] year. The mentor shall have at least one [(4)] year of experience in the specialty area of practice and not be the direct supervisor of the mentored therapist. The "mentoring log" should be used as proof of hours mentored. [~~Both the mentor and mentored will be allowed up to a maximum of five (5) contact hours per year.~~]

(14) Competency assessment or knowledge and skills assessment related to the practice of occupational therapy. A licensee who completes an online or in person training on competency assessment or on knowledge and skills assessment activities related to occupational therapy that is offered by an employer or an approved provider may claim a maximum of two hours of continuing education during each renewal period. If audited, an applicant must provide the following documentation: a certificate of completion or similar document that includes the name of the course or training, the date and location where the training was offered, the sponsoring organization and the time attended.

D. Credit screening procedures are as follows:

(1) the board or its designee must approve each request for continuing education credit;

(2) the licensee will be informed of the board's action within [~~thirty (30)] 30 calendar days of receipt of the request; and~~

(3) the licensee whose request has been denied may appeal to the board within ~~[thirty (30)]~~ 30 calendar days of the notification of the board's decision.

E. Continuing education audit.

(1) The board shall audit a percentage of renewal applications each year to verify the continuing education requirement.

(2) If a notice of audit letter is received with the annual renewal form, evidence of continuing education hours earned during the renewal year must be submitted to the board as requested and as required in the Occupational Therapy Act and by this rule.

(3) If the licensee is not audited, all documentation of attendance and agendas should be retained by the licensee for a minimum of three ~~[(3)]~~ years immediately preceding the current renewal.

(4) The board reserves the right to audit continuing education attendance certificates whenever there is reasonable doubt the courses submitted, dates, or hours may be incorrect.

(5) Proof of attendance for all continuing education programs is required on all renewal applications submitted after the expiration date.

F. ~~[Credit for excess continuing education contact hours accumulated may be used only during the following year. Documentation of excess continuing education contact hours which are being submitted for credit must be submitted with the annual renewal fee and application.]~~ The board will allow a maximum of ~~[twenty (20)]~~ 15 continuing education contact hours to be carried over into the next licensing year. The 15 continuing education hours must be earned during the renewal period of October 1st through September 30th.

G. Ineligible actives include, but are not limited to:

(1) Orientation and in-service programs dealing with organizational structures, processes, or procedures.

(2) Meeting for purposes of policy making.

(3) Annual association or organization and non-educational meetings.

(4) Entertainment or recreational activities or meetings.

(5) Committee meetings, holding of offices or serving as an organizational delegate.

(6) Visiting exhibitors and;

(7) CPR education.

[16.15.4.9 NMAC - Rp, 16.15.4.9 NMAC, 1/30/2015; A, 2/24/2022]