

NOTICE OF PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Physical Therapy Board (“Board”) has scheduled a rule hearing on Thursday, May 11, 2023, at 9:00 a.m. Following the rule hearing, the Board will convene a regular board meeting to consider the adoption of the rules and address regular business. The rule hearing and board meeting will be held at the Regulation and Licensing Department, located at 2550 Cerrillos Road, Santa Fe, NM in the Rio Grande Conference Room and virtually on Microsoft Teams.

To join the meeting online by Microsoft Teams Meeting, please use the following link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDFjZDlkYzAtNzBiYi00NDRlTg1MDEtYmIzNDRmOGI5NGJj%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%22d3fe0eed-1d12-48f7-a361-c27ae097daa2%22%7d

Meeting ID: 228 502 576 217

Passcode: NYcTzQ

The purpose of the rule hearing is to consider proposed amendments, repealing and/or replacing the following rules:

16.20.2 NMAC – Examinations

16.20.3 NMAC – Issuance of Licenses

16.20.12 NMAC – Licensing of Military Service Members, Spouses, and Veterans (replace title with **Expedited Licensing Requirements**)

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/physical-therapy/pt-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 Evan Ortega, Board Administrator, via electronic mail (email) at Physical.Therapy@rld.nm.gov or by regular mail at Physical Therapy Board Rules, P.O. Box 25101, Santa Fe, NM 87504, no later than May 10, 2023. 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/physical-therapy/pt-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 forms of auxiliary aid or service to attend or participate in the hearing, please contact Evan Ortega, Board Administrator at (505) 476-4622 or Physical.Therapy@rld.nm.gov.

Statutory Authority: Subsections (C) of Section 61-12D-5 NMSA 1978 of the Physical Therapy Act, Sections 61-12D-1 to -18 NMSA 1978, specifically authorizes the Board to adopt, file, amend or repeal rules in accordance with the Uniform Licensing Act, Sections 61-1-1 to -37 NMSA 1978, to carry out the provisions of the Occupational Therapy Act. Sections 61-1-31.1 and 61-1-34 of the Uniform Licensing Act (“ULA”), Sections 61-1-1 to -37 NMSA 1978, require the Board to update how it issues expedited licenses.

Purpose of the Proposed Rules: The proposed amendment/repeal/replacement of the rules is intended to provide greater clarity in existing regulatory and statutory requirements, ensure continued high levels of professionalism among licensees, and to generally satisfy the Board’s obligation “protect the public health, safety and welfare and provide for control, supervision, licensure and regulation of the practice of physical therapy.” Section 61-12D-2 NMSA 1978. Further, several of the proposed rule changes are intended to address recent statutory changes to the Uniform Licensing Act. See H.B. 191, 57th Leg., regular session (N.M. 2022) available at <https://nmlegis.gov/Sessions/22%20Regular/final/HB0191.pdf>.

Summary of the Proposed Changes:**16.20.2 NMAC – Examinations**

The proposed amendment/repeal/replacement to this part is to modify and add subsections to comply with the Uniform Licensing Act, Section 61-1-31.1 that persons receiving expedited licenses, must take and pass the New Mexico jurisprudence examination when they renew their licenses for the first time.

16.20.3 NMAC – Issuance of Licenses

The proposed amendments to this part are to clarify Subsection C of 16.20.3.8 NMAC where words were inadvertently missing and to acknowledge the new expedited licensure process.

16.20.12 NMAC – Licensing of Military Service Members, Spouses, and Veterans, new title Expedited Licensing Requirements

The proposed repeal and replacement of this part is to modify and add subsections to comply with the statutory changes to the Physical Therapy Act and the Uniform Licensing Act. In addition, the title of this section is renamed to accurately reflect the expedited licensure requirements for military service members as well as qualified applicants who hold a license in good standing from another licensing jurisdiction recognized by the Board.

Technical Information: No technical information provided the basis for any of the proposed rules.