

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The New Mexico Board of Social Work Examiners will hold a rule hearing on Friday, July 11, 2025, at 9:00 a.m., immediately followed by a meeting of the board to consider any public comment and adoption of the proposed rule listed below. Public participation is welcomed, and comments may be submitted in writing during the public comment period, or in person during the public rule hearing. The hearing and subsequent meeting will take place at the Regulation and Licensing Department, Sandia Conference Room, located at 5500 San Antonio Dr., New Mexico 87109.

The meeting will also be held via Microsoft Teams for those desiring to attend virtually.

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The purpose of the rule hearing is to consider the initiation of rulemaking for the following rules:

- 16.63.1 General Provisions
- 16.63.3 Application for Licensure
- 16.63.4 Examinations
- 16.63.5 Emergency Licensure
- 16.63.6 Licensure by Credentials; Reciprocity
- 16.63.7 Provisional Licensure
- 16.63.8 Fee
- 16.63.9 Baccalaureate Social Worker
- 16.63.10 Masters Social Worker
- 16.63.11 Clinical Social Worker
- 16.63.12 Continuing Education
- 16.63.13 Disciplinary Action
- 16.63.14 Inactive Status
- 16.63.15 Retirement
- 16.63.16 Code of Conduct
- 16.63.17 Temporary Licensure
- 16.63.18 Expedited Licensure

The agenda for the rule hearing and board meeting will be posted and available at least 72 hours before the meeting on the Board website at <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/social-work-examiners/board-information/> . Copies of the agenda may also be obtained by contacting Roxann Ortiz at 505-795-5576.

The Board of Social Work Examiners will begin accepting public comments regarding the proposed rule changes on June 10, 2025. The Board of Social Work Examiners will accept written public comments received by 9:00 a.m. on July 11, 2025. Written comments may be submitted by email to socialworkboard@rld.nm.gov or by postal mail to the following address:

New Mexico Regulation and Licensing Department
Attn: New Mexico Board of Social Work Examiners
P.O. Box 25101
Santa Fe, NM 87504

Public comment will also be accepted during the rule hearing and may be presented orally, or in writing. Individuals who would like to participate and offer public comment ***must appear in person***. The members of the New Mexico Board of Social Work Examiners will not engage in substantive discussion of public comments during the rule hearing but will consider all public comments during the board meeting following the conclusion of the rule hearing.

For inclement weather: If New Mexico state offices are placed on a two-hour delay due to inclement weather, the rule hearing will be pushed back two hours from the noticed hearing time. If New Mexico state offices are closed due to inclement weather, the rule hearing will be rescheduled as soon as possible.

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 Roxann Ortiz at 505-795-5576.

Statutory Authority:

The proposed rule changes are authorized by the Social Work Practice Act, Sections 61-31-1 through 61-31-25 NMSA 1978, which provides explicit authority for the board to promulgate rules to protect public health and safety and carry out the provisions of the Act. The rulemaking and public rule hearing is governed by the State Rules Act, Sections 14-4-1 through 14-4-11 NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Department of Justice, Parts 1.24.25.1 through 1.24.25.16 NMAC.

Purpose of the Proposed Rules:

The proposed rule changes aim to implement provisions of The Telehealth Act for all licensees practicing under supervision and rules clean up to meet current requirements. Initially, the changes will introduce fees for returned payments and establish disciplinary measures for failure to comply with continuing education (CE) audit requirements. More broadly, the proposed revisions are intended to provide greater clarity regarding existing regulatory and statutory obligations. These changes are designed to support the Board's statutory mandate to promote, preserve, and protect the health, safety, and welfare of the public.

Summary of Proposed Changes:

16.63.1 General Provisions- Cleaning up the language to meet the current requirements and to add additional language for licensure to become a Social Worker in New Mexico.

16.63.3 Application for Licensure- Adding language to meet the current licensing processes.

16.63.4 Examinations-Adding language to meet the current licensing processes.

16.63.5 Emergency Licensure- This section is being removed, and the part is going to be Reserved.

16.63.6 Licensure by Credentials; Reciprocity-This section is being removed as the board has adopted the Expedited Licensure.

16.63.7 Provisional Licensure- Adding language to support the supervision that is received during the provisional licensure period.

16.63.8 Fee- Cleaning up the language for the fees and adding language for Insufficient Fund for returned payments.

16.63.9 Baccalaureate Social Worker-Adding language for criminal conviction.

16.63.10 Masters Social Worker-Cleaning up language for Parament of Practice

16.63.11 Clinical Social Worker-Adding language for supervision requirements and the scope of practice for both License Clinical Social Workers and Independent Social Workers.

16.63.12 Continuing Education-Adding language to include Ethic's CEs for renewal.

16.63.13 Disciplinary Action-Cleaning up language

16.63.14 Inactive Status-Removing the fee requirements for inactive status.

16.63.15 Retirement-Cleaning up the language for requirements for reinstatement.

- 16.63.16 Code of Conduct-Adding language to reflect Sente Bill 252 Telehealth Act.
- 16.63.17 Temporary Licensure-Removing section and the part is going to be Reserved.
- 16.63.18 Expedited Licensure-Cleaning up language of requirements and grammatical mistakes.