

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 3 ATHLETIC TRAINERS
PART 1 GENERAL PROVISIONS

16.3.1.1 ISSUING AGENCY: NM Regulation and Licensing Department New Mexico Athletic Trainers Practice Board, Post Office Box 25101, Santa Fe, New Mexico 87504.
[1/16/2000; 16.3.1.1 NMAC - Rn, 16 NMAC 3.1.1, 8/16/2001]

16.3.1.2 SCOPE: All individuals who wish to practice the profession of athletic training in the state of New Mexico and individuals offering services in association or associated with athletic training.
[1/16/2000; 16.3.1.2 NMAC - Rn, 16 NMAC 3.1.2, 8/16/2001]

16.3.1.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978.
[1/16/2000; 16.3.1.3 NMAC - Rn, 16 NMAC 3.1.3, 8/16/2001]

16.3.1.4 DURATION: Permanent
[1/16/2000; 16.3.1.4 NMAC - Rn, 16 NMAC 3.1.4, 8/16/2001]

16.3.1.5 EFFECTIVE DATE: January 16, 2000, unless a later date is cited at the end of a section.
[1/16/2000; 16.3.1.5 NMAC - Rn, 16 NMAC 3.1.5, 8/16/2001; A, 12/24/2021]

16.3.1.6 OBJECTIVE: The objective of Part 1 Chapter 3 is to define terms relevant to athletic training and define the boards responsibilities to the board operations.
[1/16/2000; 16.3.1.6 NMAC - Rn, 16 NMAC 3.1.6, 8/16/2001]

16.3.1.7 DEFINITIONS: As used in these regulations:

- A. "act"** means the Athletic Trainers Practice Act, Sections 61-14D-1 through 61-14D-20, NMSA 1978;
 - B. "licensed physician"** means a licensed physician who assumes responsibility for providing medical consultative support to the athletic trainer's practice, whether on a regular or temporary basis; the term may include a school or team physician provided a written acknowledgement by the physician is made part of the school or team records;
 - C. "licensing year"** means the period from September 1 of any year through August 31 of the following year;
 - D. "NATA"** means the national athletic trainers association;
 - E. "BOC"** means the board of certification for the athletic trainer;
 - F. "current CPR certification"** means completion within the preceding twelve months of a course in cardio pulmonary resuscitation approved by the American red cross or American heart association; the code of ethics adopted shall be the current code of ethics of the national athletic trainers association or its successor organization;
 - G. "athlete's surgeon"** means the physician or surgeon who is rendering services for the athlete and who prescribes therapeutic treatment and care for the athlete's post-surgical condition.
 - H. "Disqualifying criminal conviction"** has the same meaning as defined in Subsection E of Section 61-1-36 NMSA 1978.
- [1/16/2000; 16.3.1.7 NMAC - Rn & A, 16 NMAC 3.1.7, 8/16/2001; A, 12/24/2021]

16.3.1.8 BOARD OPERATIONS

- A. License display.** A valid license must be displayed and must be visible to the public in the primary place of employment or business of the athletic trainer. A licensee must practice athletic training under the name inscribed on the license.
- B. Board elections.** At the first board meeting of each calendar year the board shall elect, by majority vote of the members present, a chairman and vice chairman. Officers will serve a one-year term of office. A vacancy, which occurs in any office, shall be filled, by a majority vote of the board members present, at the first board meeting following the vacancy.

C. Quorum. A quorum of the board is three members. A quorum is necessary to conduct official business.

D. Telephone or video conferences, or virtual means. If it is difficult or impossible for a member of the board to attend a meeting in person, the member may participate through a telephone or video conference, or virtual means. Each member participating by conference telephone must be identified when speaking, all participants must be able to hear each other at the same time and members of the public attending the meeting must be able to hear any member of the board who speaks during the meeting.

E. Board meetings. The board shall meet at least annually. Additional meetings shall be held as necessary to conduct the business of the board. Meetings may be convened at the call of the chair, or upon written request of three board members.

F. Member attendance at meetings. Board members are required to attend board meetings as scheduled by the board. Any member failing to attend three consecutive meetings shall be deemed to have resigned and shall be recommended to the governor for removal, unless the absences are excused by the board chair.

G. Excused absences. Board members may be excused from attending meetings for any of the following reasons: illness, family emergency, military service, death in the immediate family, or for any other reason deemed appropriate by the board chair.

H. Open meeting resolution. The board shall review the Open Meetings Act and adopt an open meeting resolution at the first meeting in each calendar year.

I. Public records. Except as provided herein and except as otherwise provided by law, all applications, pleadings, petitions and motions are matters of public record as of the time of filing with the board.

J. Inspection of public records. The board operates in compliance with the Inspection of Public Records Act, Sections 14-2-1 through 14-2-16 NMSA 1978. The board administrator is the custodian of the board's records. Individuals may make oral or written request to inspect the public records of the board. If the request is made in writing it must include the name, address and phone number of the individual seeking access. Requests for access to public records will be processed in a timely manner. If the inspection is not permitted within 3 business days, the custodian will notify the individual requesting access to the records in writing and explain when the records will be made available. The board may provide copies of public records upon request and upon payment of a reasonable copying fee, except as may be ordered by a court of competent jurisdiction. No person shall remove original board documents from the board office. The board maintains files for all individuals. Information in an individual's file is a matter of public record except for the following:

- (1) letters of reference;
- (2) test scores;
- (3) medical reports and/or records of chemical dependency, physical or mental examinations

or treatment.

K. Parental Responsibility Act Compliance: The Parental Responsibility Compliance Act, Sections 40-5A-1 to 40-5A-13 NMSA 1978, is incorporated in full into these rules. [1/16/2000; 16.3.1.8 NMAC - Rn, 16 NMAC 3.1.8, 8/16/200; A, 12/24/2021]

HISTORY OF 16.3.1 NMAC:

PRE-NMAC HISTORY: The material in this part was derived from that previously filed with the State Records Center and Archives Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7/1984; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9/19/88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7/11/1989; Rule 91-1, Definitions, filed 8/30/1991; Rule 1, Definitions, filed 2/3/1994; Rule 91-12, Open Meetings Act Compliance, filed 8/30/1991; Rule 3, General Provisions And Board Operations, filed 2/3/1994

HISTORY OF REPEALED MATERIAL: [RESERVED]