

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 14 NUTRITION AND DIETETIC PRACTITIONERS
PART 1 GENERAL PROVISIONS

16.14.1.1 ISSUING AGENCY: Nutrition and Dietetic Practice Board, P.O. Box 25101, Santa Fe, NM 87504.

[16.14.1.1 NMAC - Rp, 16 NMAC 14.1.1 NMAC, 8/1/2011]

16.14.1.2 SCOPE: The provisions in Part 1 apply to all parts of Chapter 14, and provide relevant information to anyone affected by or interested in the licensing and regulation of dietitians, nutritionists and nutrition associates.

[16.14.1.2 NMAC - Rp, 16 NMAC 14.1.2, 8/1/2011]

16.14.1.3 STATUTORY AUTHORITY: Subsections A of Sections 61-7-1 through 61-7-15 NMSA 1978 (Laws of 1996 and 1993 Repl. Pamp.), Section 11 of Part 1 is authorized by Section 10-15-1,C (1993 Repl. Pamp.). Sections 12 and 13 of Part 1 are authorized by Sections 14-2-1 through 14-2-16 NMSA 1978 (1993 Repl. Pamp.).

[16.14.1.3 NMAC - Rp, 16 NMAC 14.1.3, 8/1/2011]

16.14.1.4 DURATION: Permanent.

[16.14.1.4 NMAC - Rp, 16 NMAC 14.1.4, 8/1/2011]

16.14.1.5 EFFECTIVE DATE: 8/01/2011, unless a later date is cited at the end of a section.

[16.14.1.5 NMAC - Rp, 16 NMAC 14.1.5, 8/1/2011]

16.14.1.6 OBJECTIVE: To set forth the provisions which apply to all of Chapter 14, and to all persons and entities affected or regulated by Chapter 14 of Title 16.

[16.14.1.6 NMAC - Rp, 16 NMAC 14.1.6, 8/1/2011]

16.14.1.7 DEFINITIONS:

- A.** “Act” means the Nutrition and Dietetics Practice Act.
- B.** “CDR” means the commission on dietetic registration.
- C.** “American board of nutrition” referred to in the act is now known as American clinical board of nutrition.
- D.** “American institute of nutrition” referred to in the act is now known as American society for nutrition.
- E.** “Reciprocity” means the ability of a qualified licensed applicant from another state to obtain a license in the State of New Mexico, if the qualified licensed applicant meets the requirements for licensure in the state.

[16.14.1.7 NMAC - Rp, 16 NMAC 14.1.7, 8/1/2011; A, 6/6/2020]

16.14.1.8 LICENSE DISPLAY: A valid license or permit must be displayed and must be visible to the public in each place of employment or business of the licensee. Licensees who do not have a permanent office must have a valid license/permit available for public inspections during business hours.

[16.14.1.8 NMAC - Rp, 16 NMAC 14.1.8, 8/1/2011]

16.14.1.9 LICENSEE RESPONSIBILITY: The board assumes no responsibility for renewal applications or other documents not received by the licensee for any reason. It is the licensees responsibility to make timely request for the renewal form or other required documents.

[16.14.1.9 NMAC - Rp, 16 NMAC 14.1.9, 8/1/2011]

16.14.1.10 CHANGE OF ADDRESS: Any licensee or applicant who changes their mailing address must notify the board in writing within 30 days of the change.

[16.14.1.10 NMAC - Rp, 16 NMAC 14.1.10, 8/1/2011]

16.14.1.11 TELEPHONE CONFERENCES: If it is difficult or impossible for a member of the board to attend a meeting in person, the member may participate through a conference telephone. 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.

[16.14.1.11 NMAC - Rp, 16 NMAC 14.1.11, 8/1/2011]

16.14.1.12 PUBLIC RECORDS: Except as otherwise provided by law, all applications, pleadings, petitions and motions are matters of public record at the time of filing with the board.

[16.14.1.12 NMAC - Rp, 16 NMAC 14.1.12, 8/1/2011]

16.14.1.13 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.

[16.14.1.13 NMAC - Rp, 16 NMAC 14.1.13, 8/1/2011]

16.14.1.14 CONFIDENTIAL RECORDS: The following records are considered confidential and are not subject to public inspection:

- A. letters of reference concerning employment, licensing or permits;
- B. medical reports or records of chemical dependency, physical or mental examinations or treatment;
- C. investigative files; and
- D. letters or memorandum which are matters of opinion in personnel files or students' cumulative files.

[16.14.1.14 NMAC - Rp, 16 NMAC 14.1.14, 8/1/2011; A, 3/31/2015]

16.14.1.15 SEVERABILITY: If any part of these rules are held invalid by a court of competent jurisdiction, the remaining provisions of the rules shall remain in force and effect, unless otherwise determined by a court of competent jurisdiction.

[16.14.1.15 NMAC - Rp, 16 NMAC 14.1.15, 8/1/2011]

HISTORY OF 16.14.1 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center:

N&D Rule 90-1, Definitions, filed 2/28/1990.

N&D Rule 90-2, Licensure Requirements, filed 2/28/1990.

Rule 2, Licensure Requirements, filed 3/8/1993.

N&D Rule 90-3, License Period, filed 2/28/1990.

N&D Rule 91-3, License and License Period, filed 3/18/1991.

Rule 92-3, License and License Period, filed 3/26/1992.

Rule 3, Initial Licenses, License Period and Display, filed 3/8/1993.

N&D Rule 90-4, Annual Registration Displayed, filed 2/28/1990.

History of Repealed Material:

16 NMAC 14.1, General Provisions, filed 8/19/1996 - Repealed effective 8/1/2011.