

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 2 ACUPUNCTURE AND ORIENTAL MEDICINE PRACTITIONERS
PART 11 LICENSEE BUSINESS OFFICES AND ADMINISTRATIVE REQUIREMENTS

16.2.11.1 ISSUING AGENCY: New Mexico Board of Acupuncture and Oriental Medicine.
[16.2.11.1 NMAC - Rp 16 NMAC 2.11.1, 12-1-01]

16.2.11.2 SCOPE: All licensees, applicants, temporary licensees, applicants for temporary licensure, limited temporary license holders, externs, certified auricular detoxification specialists, auricular detoxification specialist training programs, educational programs and applicants for approval of educational programs.
[16.2.11.2 NMAC - Rp 16 NMAC 2.11.2, 12-1-01; A, 02-15-05]

16.2.11.3 STATUTORY AUTHORITY: This part is promulgated pursuant to the Acupuncture and Oriental Medicine Practice Act, Sections 61-14A-8 and 9, NMSA 1978.
[16.2.11.3 NMAC - Rp 16 NMAC 2.11.3, 12-1-01]

16.2.11.4 DURATION: Permanent.
[16.2.11.4 NMAC - Rp 16 NMAC 2.11.4, 12-1-01]

16.2.11.5 EFFECTIVE DATE: December 1, 2001, unless a later date is cited at the end of a section.
[16.2.11.5 NMAC - Rp 16 NMAC 2.11.5, 12-1-01]

16.2.11.6 OBJECTIVE: This part establishes the requirements for registration of all licensee offices, the requirement that an office in a residence be set apart and have toilet facilities available, the inspection of offices, the keeping of records, the use of a trade name, the display of the license and the requirement for notifying the board of changes to, relocation or closing of the office.
[16.2.11.6 NMAC - Rp 16 NMAC 2.11.6, 12-1-01]

16.2.11.7 DEFINITIONS: Refer to definitions in 16.2.1.7 NMAC.
[16.2.11.7 NMAC - Rp 16 NMAC 2.11.7, 12-1-01; A, 02-15-05; A, 11-28-09]

16.2.11.8 OFFICE: All offices shall be registered with the board. All offices must have a written needlestick policy in place including recommendations for postexposure prophylaxis. When the practice of acupuncture and oriental medicine is conducted in a building used for residential purposes, a room or rooms shall be set apart as an office for the practice and shall be used solely for this purpose. It shall be equipped with a washroom and toilet facilities readily available in the same premises. An office may be inspected at any time during normal business hours by the board or its agents.
[16.2.11.8 NMAC - Rp 16 NMAC 2.11.8, 12-1-01; A, 6-16-15]

16.2.11.9 RECORDS: A doctor of oriental medicine, temporary licensee, extern or educational program shall keep accurate records of each patient including the diagnosis and nature of treatment given and any other relevant data deemed necessary by the provider. Records shall be retained for a minimum of 10 years or in accordance with federal regulation and shall be open to inspection at any time during normal business hours by the board.
[16.2.11.9 NMAC - Rp 16 NMAC 2.11.9, 12-1-01; A, 11-28-09]

16.2.11.10 USE OF BUSINESS NAME OR TRADE NAME: The board shall be notified of the use of a trade or business name or "DBA" by a doctor of oriental medicine. The board shall be notified, in writing, of any change of business or trade name within 10 days of the change.
[16.2.11.10 NMAC - Rp 16 NMAC 2.11.10, 12-1-01; A, 02-15-05; A, 11-28-09]

16.2.11.11 DISPLAY OF LICENSE: The current license shall be conspicuously displayed in all offices of the doctor of oriental medicine or temporary licensee that are registered with the board. For the fee specified in part 10, the board shall provide a copy of the license for each additional office location registered with the board.
[16.2.11.11 NMAC - Rp 16 NMAC 2.11.11, 12-1-01]

16.2.11.12 CHANGES, RELOCATION, CLOSING: Within 10 days of any changes, a doctor of oriental medicine or temporary licensee shall inform the board, in writing, of any changes to his or her practice, including relocation, abandonment and closing for over 90 days. Notice to the board shall include at a minimum the name of the licensee, office location, mailing address, telephone number, business name and the names of all licensees practicing at that location.

[16.2.11.12 NMAC - Rp 16 NMAC 2.11.12, 12-1-01; A, 02-15-05; A, 11-28-09]

History of 16.2.11 NMAC:

Pre-NMAC History:

The material in this part was derived from that previously filed with state records center and archives as:

ACU Rule 91-3, Regulations Governing Acupuncture Practitioners, Tutors, and Institutes - Administrative Requirements, filed 2-18-91;

Rule 3, Regulations Governing Acupuncture Practitioners, Tutors, and Institutes - Administrative Requirements, filed 8-28-92;

Rule 3, Regulations Governing Acupuncture Practitioners, Tutors, and Institutes - Administrative Requirements, filed 1-26-93;

ACU Rule 91-10, Regulations Governing Acupuncture Practitioners, Tutors, And Institutes - Advertisement, filed 2-18-91;

Rule 10, Regulations Governing Acupuncture Practitioners, Tutors, And Institutes - Titles, filed 1-27-93.

History of Repealed Material: 16 NMAC 2.11, Licensee Business Offices and Administrative Requirements (filed 6-14-96) repealed effective 12-1-01.

Other History:

Rule 10, Regulations Governing Acupuncture Practitioners, Tutors, And Institutes - Titles (filed 1-27-93) was renumbered, reformatted, and replaced by 16 NMAC 2.11, Licensee Business Offices and Administrative Requirements, effective 07-01-96.

16 NMAC 2.11, Licensee Business Offices and Administrative Requirements (filed 6-14-96) replaced by 16.2.11 NMAC, Licensee Business Offices and Administrative Requirements, effective 12-1-01.