

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 5 DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)**  
**PART 35 DENTAL ASSISTANTS, CERTIFICATE EXPIRATION AND RENEWAL**

**16.5.35.1 ISSUING AGENCY:** New Mexico Board of Dental Health Care.  
[9/30/96; 16.5.35.1 NMAC - Rn & A, 16 NMAC 5.35.1, 04/17/06]

**16.5.35.2 SCOPE:** The provisions of Part 35 of Chapter 5 apply to all dental assistants with a certificate to practice expanded functions in New Mexico.  
[9/30/96; 16.5.35.2 NMAC - Rn, 16 NMAC 5.35.2, 04/17/06]

**16.5.35.3 STATUTORY AUTHORITY:** Part 35 of Chapter 5 is promulgated pursuant to the Dental Health Care Act, Section 61-5A-16 NMSA 1978 (1996 Repl. Pam.).  
[9/30/96; 16.5.35.3 NMAC - Rn, 16 NMAC 5.35.3, 04/17/06]

**16.5.35.4 DURATION:** Permanent  
[9/30/96; 16.5.35.4 NMAC - Rn, 16 NMAC 5.35.4, 04/17/06]

**16.5.35.5 EFFECTIVE DATE:** September 30, 1996, unless a later date is cited at the end of a section.  
[9/30/96; 16.5.35.5 NMAC - Rn & A, 16 NMAC 5.35.5, 04/17/06]

**16.5.35.6 OBJECTIVE:** To establish the requirements and procedures for renewal and expiration of expanded function certificates for dental assistants.  
[9/30/96; 16.5.35.6 NMAC - Rn, 16 NMAC 5.35.6, 04/17/06]

**16.5.35.7 DEFINITIONS:** [RESERVED]  
[9/30/96; 16.5.35.7 NMAC - Rn, 16 NMAC 5.35.7, 04/17/06]

**16.5.35.8 CERTIFICATE EXPIRATION:** Initial certificates will expire on July 1 following the second year of certification. No certificate will be issued for longer than 36 months or less than 25 months.  
[5/31/95, 12/15/97, 8/16/99, 9/30/96; 16.5.35.8 NMAC - Rn, 16 NMAC 5.35.8, 04/17/06]

**16.5.35.9 RENEWAL PERIOD AND EXPIRATION:** After the initial license period, certifications for expanded function expire every three years on June 30. Certificates that are not renewed by July 1 are considered expired.  
[9/7/84...9/30/96, 8/16/99; 16.5.35.9 NMAC - Rn & A, 16 NMAC 5.35.9, 04/17/06]

**16.5.35.10 RENEWAL PROCESS:** A completed renewal application, accompanied by the required fee as set forth in 16.5.32.8 NMAC, along with the required proof of completion of 30 hours of continuing education as set forth in 16.5.1.15 NMAC. The completed renewal application must be post-marked on or before July 1 of the renewal year.  
[5/31/95, 9/30/96, 8/16/99, 2/14/00; 16.5.35.10 NMAC - Rn & A, 16 NMAC 5.35.10, 04/17/06]

**16.5.35.11 CERTIFICATE HOLDER RESPONSIBILITY:** The board assumes no responsibility for renewal applications not received for any reason. It is the certificate holders responsibility to make timely request for the renewal form if one has not been received thirty days prior to certificate expiration.  
[5/31/95, 9/30/96; 16.5.35.11 NMAC - Rn, 16 NMAC 5.35.11, 04/17/06]

**16.5.35.12 RENEWAL AFTER JUNE 30:** Renewal applications post-marked after July 1 and prior to August 1 of the renewal year must be accompanied by the completed renewal application with the required proof of completion of 30 hours of continuing education as set forth in 16.5.36.8 NMAC, along with the triennial renewal fee and late fee as set forth in 16.5.32.8 NMAC.  
[5/31/95, 9/30/96, 8/16/99; 16.5.35.12 NMAC - Rn & A, 16 NMAC 5.35.12, 04/17/06]

**16.5.35.13 RENEWAL AFTER AUGUST 1 AND BEFORE SEPTEMBER 1:** Renewal applications post-marked on or after August 1, but before September 1, of the renewal year, must be accompanied by the completed renewal application with the required proof of completion of 30 hours of continuing education as set forth in 16.5.36.8 NMAC, along with the triennial renewal fee and late fee as set forth in 16.5.32.8 NMAC. [5/31/95, 9/30/96, 8/16/99; 16.5.35.13 NMAC - Rn & A, 16 NMAC 5.35.13, 04/17/06]

**16.5.35.14 RENEWAL APPLICATION UNDELIVERABLE:** If the notice of renewal is returned to the office and the certificate holder has not sent a change of address, the revocation order will be considered undeliverable and will not be mailed. [5/31/95; 16.5.35.14 NMAC - Rn, 16 NMAC 5.35.14, 04/17/06]

**HISTORY OF 16.5.35 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the commission of public records - state records center and archives as:

Article XII, Dental Assistants, filed 3/12/81.

Article XII, Dental Assistants, filed 1/12/82.

Article XII, Dental Assistants, filed 8/8/84.

Article XII, Dental Assistants, filed 2/5/88.

BOD Rule 10, Dental Assistants, filed 2/9/89.

BODHC Rule DA 2-95, Dental Assistants, Renewal of Certificates, filed 5/5/95.

**History of Repealed Material:** [RESERVED]

**Other History:**

That portion of BODHC Rule DA 2-95, Dental Assistants, Renewal of Certificates (filed 5/5/95) was renumbered, reformatted, amended and replaced by 16 NMAC 5.35, Dental Assistants, Certificate Expiration and Renewal, effective 9/30/96.

16 NMAC 5.35, Dental Assistants, Certificate Expiration and Renewal (filed 9/17/96) renumbered, reformatted, amended and replaced by 16.5.35 NMAC, Dental Assistants, Certificate Expiration and Renewal, effective 04/17/06.