

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 1 GENERAL PROVISIONS

16.6.1.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.
[16.6.1.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.2 SCOPE: This part applies to the board, the naprapathic task force, licensees, applicants, and the general public.
[16.6.1.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.
[16.6.1.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.4 DURATION: Permanent.
[16.6.1.4 NMAC - N, 09-30-04]

16.6.1.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.
[16.6.1.5 NMAC - N, 09-30-04]

16.6.1.6 OBJECTIVE: This part establishes definitions of terms for rules filed in this chapter, the purpose and organization structure of the naprapathic task force, requirements for display of license, unlicensed practices prohibition, record keeping requirements and inspection of public records limitations.
[16.6.1.6 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.7 DEFINITIONS:

- A. **“Applicant”** means a person who is applying to be licensed for the first time as a naprapath in New Mexico.
- B. **“Naprath”** means a person who practices naprapathy licensed by the board and has met all requirements.
- C. **“Naprath”** means a branch of medicine that focuses on the evaluation and treatment of neuro-musculoskeletal conditions. Doctors of naprapathy are connective tissue specialists.
- D. **“Board”** means the medical board.
- E. **“Fund”** means the New Mexico medical board fund.
- F. **“License”** means an authorization by the board that permits a person to practice naprapathy in the state.
- G. **“Licensee”** means a person licensed by the board to practice naprapathy.
- H. **“Advertising”** means any communication whatsoever, disseminated by any means whatsoever, to or before the public or any portion thereof, with the intent of furthering the purpose, either directly or indirectly, of selling professional services, educating the public, or including members of the public to enter into any obligation relating to such professional services.
- I. **“Revocation”** means a permanent loss of licensure.
- J. **“Suspension”** means a loss of licensure for a certain period, after which the person may be required to file for reinstatement.
- K. **“Complaint”** means a sworn written complaint.
- L. **“Complainant”** means the complaining party of the complaint filed against a licensee or applicant for licensure, who is regulated by the medical board.
- M. **“Respondent”** means a licensee or applicant for licensure who is regulated by the board.
- N. **“Notice of contemplated action”** means the administrative process used by the board for a licensee or applicant for licensure to be afforded notice and an opportunity to be heard in a formal hearing before the board has any authority to take any action which could result in denial, suspension, revocation, restricting, monitoring, censuring, etc., of a license or application or licensure.
- O. **“Military service member”** means a person who is serving in the armed forces of the United States or in a reserve component of the armed forces of the United States, including the national guard.

P. **“Recent veteran”** means a person who has received an honorable discharge or separation from military service within the two years immediately preceding the date the person applies for a naprapathic license pursuant to section 16.10.2.17. The veteran shall submit a copy of Form DD214, or its equivalent, as part of the application process.

[16.6.1.7 NMAC - N, 09-30-04; A, 9-22-11; A, 10-11-13]

16.6.1.8 PURPOSE OF THE NAPRAPATHIC TASK FORCE: The naprapathic task force shall advise the board regarding licensure of naprapaths, approval of naprapathy curricula and any other matters that are necessary to ensure the training and licensure of naprapaths.

[16.6.1.8 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.9 ORGANIZATION:

A. The naprapathic task force is created under the direction of the board.

B. The naprapathic task force shall be composed of no fewer than two licensees, appointed by the board, who are residents of the state. Vacancies on the naprapathic task force shall be filled by appointment by the board.

[16.6.1.9 NMAC - N, 09-30-04; A, 07-31-08; A, 9-22-11]

16.6.1.10 DISPLAY OF LICENSE: Every licensee must display a current license issued by the board in a conspicuous location where the holder practices naprapathy.

[16.6.1.10 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.11 UNLICENSED PRACTICE:

A. Persons practicing naprapathy without a license, misrepresenting themselves or aiding and abetting unlicensed practice may be fined up to \$1000.00 after notice and hearing.

B. Aiding unauthorized practice: The naprapath shall not aid or abet another person in his or her professional credentials or illegally engaging in the practice of naprapathy.

[16.6.1.11 NMAC - N, 09-30-04]

16.6.1.12 RECORD KEEPING: Every naprapath shall keep a record of naprapathic examinations and treatments made that shall include the names of persons examined and treated. The records shall be signed by the licensed naprapath and preserved by him/her in the office in which the professional service was rendered. The records shall be preserved by the naprapath for a period no less than three (3) years after the last date of service. A copy of the patient's file shall be provided, upon written request, to the person examined and treated or to his/her designee.

[16.6.1.12 NMAC - N, 09-30-04]

16.6.1.13 INSPECTION OF PUBLIC RECORDS: Refer to Title 16, Chapter 10, Part 1 of the New Mexico medical board rules.

[16.6.1.13 NMAC - N, 09-30-04; A, 9-22-11]

HISTORY OF 16.6.1 NMAC: [Reserved]