

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 17 OSTEOPATHIC MEDICINE
PART 9 PHYSICIAN ASSISTANTS: LICENSURE AND PRACTICE REQUIREMENTS

16.17.9.1 ISSUING AGENCY: Regulation and Licensing Department - New Mexico Board of Osteopathic Medicine.
[16.17.9.1 NMAC - N, 6-11-2018]

16.17.9.2 SCOPE: All licensed osteopathic physician assistants.
[16.17.9.2 NMAC - N, 6-11-2018]

16.17.9.3 STATUTORY AUTHORITY: These rules of practice and procedure govern the practice of osteopathic medicine in New Mexico and are promulgated pursuant to and in accordance with the Osteopathic Medicine Act, Section 61-10-5 NMSA 1978.
[16.17.9.3 NMAC - N, 6-11-2018]

16.17.9.4 DURATION: Permanent.
[16.17.9.4 NMAC - N, 6-11-2018]

16.17.9.5 EFFECTIVE DATE: June 11, 2018, unless a later date is cited at the end of a section.
[16.17.9.5 NMAC - N, 6-11-2018]

16.17.9.6 OBJECTIVE: This part regulates the licensing and practice of physician assistants and their supervision by licensed physicians.
[16.17.9.6 NMAC - N, 6-11-2018]

16.17.9.7 DEFINITIONS:

- A.** "AAPA" means American academy of physician assistants.
 - B.** "Effective supervision" means the exercise of physician oversight, control, and direction of services rendered by a physician assistant. Elements of effective supervision include:
 - (1) on-going availability of direct communication, either face-to-face, telephonically or by electronic means;
 - (2) active, ongoing review of the physician assistant's services, as appropriate, for quality assurance and professional support;
 - (3) a predetermined plan for emergency situations; and
 - (4) identification of other supervising physicians, as appropriate to the practice setting.
 - C.** "NCCPA" means national commission on certification of physician assistants.
 - D.** "Direct communication" means communication between the supervising physician and physician assistant, in person, telephonically, by email or other electronic means.
 - E.** "Scope of practice" means duties and limitations of duties placed upon a physician assistant by their supervising physician and the board; includes the limitations implied by the field of practice of the supervising physician.
 - F.** "Supervising physician" means a physician who holds a current unrestricted license, or a physician with a stipulated license with expressed board approval to supervise a physician assistant, and provides a notification of supervision, assumes legal responsibility for health care tasks performed by the physician assistant and is approved by the board.
 - G.** "PANCE" means physician assistant national certifying exam.
- [16.17.9.7 NMAC - N, 6-11-2018]

16.17.9.8 QUALIFICATIONS FOR LICENSURE AS A PHYSICIAN ASSISTANT:

- A.** shall have successfully completed a physician assistant program accredited by the:
 - (1) accreditation review commission on education for the physician assistant; or
 - (2) if prior to January 1, 2001, either the:
 - (a) committee on accreditation of allied health education programs; or
 - (b) committee on allied health education and accreditation;
 - (c) or its successor agency.

- B.** shall have successfully completed the physician assistant national certifying exam issued and administered by the national commission on certification of physician assistants (NCCPA).
- C.** be of good moral and professional character; and
- D.** submit any other proof of competency as may be requested by the board.

[16.17.9.8 NMAC - N, 6-11-2018]

16.17.9.9 APPLICATION FOR LICENSURE:

- A.** A completed application for which the applicant has supplied all information and correspondence requested by the board on forms and in a manner acceptable to the board.
- B.** Two letters of recommendation from physicians licensed to practice medicine in the United States or physician assistant program directors, or the director's designee, who have personal knowledge of the applicant's moral character and competence to practice.
- C.** Verification of licensure in all states where the applicant holds or has held a license to practice as a physician assistant, or other health care profession. Verification must be sent directly to the board from the other state board(s).
- D.** Verification of all work experience in the last two years, if applicable, provided directly to the board.
- E.** All applicants may be scheduled for a personal interview before the board or the board's designee and must present original documents, as the board requires. The initial license will be issued following completion of any required interview, or approval by a member or agent of the board.
- F.** License by endorsement from New Mexico medical board. Applicants who are currently licensed in good standing by the New Mexico medical board may be licensed by endorsement upon receipt of a verification of licensure directly from the New Mexico medical board, and a supervising physician form signed by the osteopathic physician who will serve as supervising physician.
- G.** All applicants for licensure who meet the requirements for licensure will be granted a temporary license and the license will be ratified at its next scheduled meeting.

[16.17.9.9 NMAC - N, 6-11-2018]

16.17.9.10 BIENNIAL LICENSURE RENEWAL REQUIREMENTS:

- A.** Before July 1st, the year the license is due to expire, all physician assistants must submit an application for renewal form provided by the board. Physician assistants who fail to renew their certificates as of July 1st, will be subject to suspension of their license.
- B.** Proof of CME upon request or audit.
- C.** Renewal fee set forth in 16.17.2.8 NMAC.
- D.** A renewal of licensure will be valid for a period of two years and the expiration date will be printed on the certificate of licensure.

[16.17.9.10 NMAC - N, 6-11-2018]

16.17.9.11 APPROVAL OF SUPERVISING PHYSICIANS:

- A.** A physician may supervise and collaborate with no more than three physician assistants and communicate within the circumstances of their particular practice setting.
- B.** All supervising physicians shall submit written notice of intent to supervise a physician assistant on forms prescribed by the board.
- C.** Within 30 days after an employer terminates the employment of a physician assistant, the supervising physician or the physician assistant shall submit a written notice to the board providing the date of termination and reason for termination.
- D.** A physician assistant who is employed by the United States government and who works on land or in facilities owned or operated by the United States government or a physician assistant who is a member of the reserve components of the United States and on official orders or performing official duties as outlined in the appropriate regulation of that branch may be licensed in New Mexico with proof that their supervising physician holds an active medical license in another state.

[16.17.9.11 NMAC - N, 6-11-2018]

16.17.9.12 SUPERVISION OF PHYSICIAN ASSISTANT: Supervision of a physician assistant must be rendered by a licensed supervising physician.

- A.** Responsibility of supervising physician.

(1) Provide direction to the physician assistant to specify what medical services should be rendered. This may be done through a written utilization plan or by other direct communications.

(2) Provide a means for immediate communication between the physician assistant and the supervising physician.

(3) Temporarily delegating supervisory responsibilities to another supervising physician during the supervising physician's period of absence.

B. A quality assurance program for review of medical services provided by the physician assistant must be in place.

[16.17.9.12 NMAC - N, 6-11-2018]

16.17.9.13 SCOPE OF PRACTICE:

A. Unless otherwise provided by law, physician assistants may provide medical services delegated to them by the supervising physician when such services are within the physician assistant's skills and form a usual component of the physician's scope of practice.

B. A physician assistant may assist a designated supervising physician in an inpatient or surgical health care institution within the institution's bylaws or policies including act as a first surgical assistant in the performance of surgery, when permitted by the institution's bylaws or regulations.

[16.17.9.13 NMAC - N, 6-11-2018]

16.17.9.14 CONTINUING EDUCATION REQUIREMENTS:

A. If a licensee has been practicing for at least two years, and applying for a new license, or upon licensure renewal, 50 hours of continuing education are required in the preceding two years for licensure.

(1) Of the 50 hours, 34 hours must be category 1A.

(2) Of the 50 hours, 30 hours must be in the area in which the physician assistant is currently practicing.

B. Applicants for licensure who have graduated from their physician assistant program in the previous two years are exempt from the continuing education requirements; or

C. Proof of current NCCPA certification will meet the continuing education requirements.

[16.17.9.14 NMAC - N, 6-11-2018]

HISTORY OF 16.17.9 NMAC:

History of Repealed Material: 16.17.9 NMAC Physicians Supervising Pharmacist Clinicians, repealed effective 6-11-2018.