

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 20 PHYSICAL THERAPISTS
PART 10 DIRECT CARE REQUIREMENTS

16.20.10.1 ISSUING AGENCY: New Mexico Physical Therapy Board.
[12-15-97; 16.20.10.1 NMAC - Rn & A, 16 NMAC 20.10.1, 08-31-00]

16.20.10.2 SCOPE: All individuals who wish to practice physical therapy in the state of New Mexico.
[12-15-97; 16.20.10.2 NMAC - Rn & A, 16 NMAC 20.10.2, 08-31-00]

16.20.10.3 STATUTORY AUTHORITY: Section 61-12D-10 NMSA 1978.
[12-15-97; 16.20.10.3 NMAC - Rn, 16 NMAC 20.10.3, 08-31-00; A, 10-10-15]

16.20.10.4 DURATION: Permanent.
[12-15-97; 16.20.10.4 NMAC - Rn, 16 NMAC 20.10.4, 08-31-00]

16.20.10.5 EFFECTIVE DATE: December 15, 1997, unless a later date is cited at the end of a section.
[03-29-83 . . . 12-15-97; 16.20.10.5 NMAC - Rn & A, 16 NMAC 20.10.5, 08-31-00]

16.20.10.6 OBJECTIVE: The objective of Part 10 of Chapter 20 is to define direct care requirements.
[12-15-97; 16.20.10.6 NMAC - Rn, 16 NMAC 20.10.6, 08-31-00]

16.20.10.7 DEFINITIONS: As used in this section, “licensed health care provider” means: a physician licensed pursuant to the Medical Practice Act; an osteopathic physician licensed pursuant to Chapter 61, Article 10 NMSA 1978; a chiropractic physician licensed pursuant to the Chiropractic Physician Practice Act; a podiatrist licensed pursuant to the Podiatry Act; a dentist licensed pursuant to the Dental Health Care Act; a doctor of oriental medicine licensed pursuant to the Acupuncture and Oriental Medicine Practice Act; a certified nurse practitioner licensed pursuant to the Nursing Practice Act; a certified nurse-midwife licensed pursuant to the Nursing Practice Act and registered with the public health division of the department of health as a certified nurse-midwife; a certified nurse specialist licensed pursuant to the Nursing Practice Act; or a physician assistant licensed pursuant to the Medical Practice Act.
[12-15-97; 16.20.10.7 NMAC - Rn, 16 NMAC 20.10.7, 08-31-00; A, 02-15-04; A, 8-16-10; A, 10-10-15]

16.20.10.8 DIRECT CARE REQUIREMENTS: A physical therapist shall refer a patient to the patient's licensed health care provider if:

A. After thirty (30) days of initiating physical therapy intervention, the patient has not made measurable or functional improvement with respect to the primary complaints of the patient; provided that the thirty (30)-day limit shall not apply to:

- (1) treatment provided for a condition related to a chronic, neuromuscular or developmental condition for a patient previously diagnosed by a licensed health care provider as having a chronic, neuromuscular or developmental condition;
- (2) services provided for health promotion, wellness, fitness or maintenance purposes; or
- (3) services provided to a patient who is participating in a program pursuant to an individual education plan or individual family service plan under federal law; or

B. At any time, the physical therapist has reason to believe the patient has symptoms or conditions requiring treatment that is beyond the scope of practice of the physical therapist.
[12-15-97; 16.20.10.8 NMAC - Rn, 16 NMAC 20.10.8, 08-31-00; A, 10-10-15]

HISTORY of 16.20.10 NMAC:

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

Rule 89-10, Definition of 61-12-13 Unprofessional Conduct, filed 9-11-89

Rule 91-10, Definition of 61-12-13 Unprofessional Conduct, filed 5-8-91

Rule 94-10, Definition of 61-12-13 Unprofessional Conduct, filed 6-3-94.

History of the Repealed Material: [RESERVED]

Other History:

16 NMAC 20.10, Direct Care Requirements, filed 12-1-97 renumbered, reformatted, and amended to 16.20.10 NMAC, Direct Care Requirements, effective 8-31-00.