

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 64 FUNERAL HOMES AND DISPOSERS**  
**PART 12 PARENTAL RESPONSIBILITY ACT COMPLIANCE**

**16.64.12.1 ISSUING AGENCY:** New Mexico Board of Funeral Services  
[6-15-96; 16.64.12.1 NMAC - Rn, 16 NMAC 64.12.1, 09-15-01; A, 04-02-10; A, 08-08-12]

**16.64.12.2 SCOPE:** 16.64.12 NMAC applies to all licensees and applicants for licensure under the New Mexico Funeral Services Act.  
[6-15-96; 16.64.12.2 NMAC - Rn, 16 NMAC 64.12.2, 09-15-01; A, 08-08-12]

**16.64.12.3 STATUTORY AUTHORITY:** 16.64.12 NMAC is adopted pursuant to the New Mexico Parental Responsibility Act, Section 40-5A-1 et seq., NMSA 1978 (Ch. 25, Laws of 1995), the New Mexico Funeral Services Act, Section 61-32-1 et seq., NMSA 1978 and the Uniform Licensing Act, Section 61-1-1 et seq., NMSA 1978.  
[6-15-96; 16.64.12.3 NMAC - Rn, 16 NMAC 64.12.3, 09-15-01; A, 08-08-12]

**16.64.12.4 DURATION:** Permanent.  
[6-15-96; 16.64.12.4 NMAC - Rn, 16 NMAC 64.12.4, 09-15-01]

**16.64.12.5 EFFECTIVE DATE:** June 15, 1996.  
[6-15-96; 16.64.12.5 NMAC - Rn, 16 NMAC 64.12.5, 09-15-01]

**16.64.12.6 OBJECTIVE:** 16.64.12 NMAC is established to facilitate the operation of the Parental Responsibility Act as it pertains to licensees and applicants for licensure, by delegating authority to issue notices of contemplated action and to refer such cases for administrative prosecution to the board administrator.  
[6-15-96; 16.64.12.6 NMAC - Rn, 16 NMAC 64.12.6, 09-15-01]

**16.64.12.7 DEFINITIONS:** [Reserved.]  
[6-15-96; 16.64.12.7 NMAC - Rn, 16 NMAC 64.12.7, 09-15-01]

**16.64.12.8 DELEGATION OF AUTHORITY:** The authority of the board of funeral services to issue a notice of contemplated action against any licensee or applicant for licensure whose name appears on the certified list issued by the New Mexico department of human services, as provided in NMSA 1978, Section 40-5A-1, et seq., and as provided further in 16.1.1 NMAC, of the New Mexico Administrative Code, which is incorporated herein by reference, and to refer cases in which notices of contemplated action have been issued for administrative prosecution, is delegated to the administrator of the New Mexico board of funeral services. 16.64.12 NMAC shall not be construed to deprive the board of its authority and power to issue a notice of contemplated action for any apparent violation of the Parental Responsibility Act, and to refer any such case for administrative prosecution.  
[6-15-96; 16.64.12.8 NMAC - Rn, 16 NMAC 64.12.8, 09-15-01; A, 08-08-12]

**HISTORY OF 16.64.12 NMAC:** [Reserved]