

This is an amendment to 16.34.11 NMAC, Section 8, effective July 16, 2004.

**16.34.11.8 VIOLATIONS BY LICENSEES**

A. When the board becomes aware of information or evidence tending to indicate that a violation of the act or these rules has been or is being committed by a licensee or student, it will review the matter and take appropriate action, or it may refer the matter to an informal subcommittee for review and recommendation, or it may make such investigation as it deems appropriate.

B. If an investigation is made, upon conclusion, the board shall:

- (1) take no further action; or
- (2) ~~[seeks issuance by the Office of the Attorney General of a Notice of Contemplated Action under the Uniform Licensing Act;]~~ issue a notice of contemplated action (NCA) under the Uniform Licensing Act;
- (3) invite the parties to an informal conference with the board or the board's designee to aid in the board's resolution of the matter;
- (4) assess an administrative penalty pursuant to 16.34.15 NMAC of these rules, subject to appropriate procedural requirements and safeguards;
- (5) file a formal complaint with the magistrate court;
- (6) issue or direct the board's executive director to issue a letter of warning, a statement of what the board believes must be done to come into compliance with the act or these rules or a similar communication.

[16.34.11.8 NMAC - Rp 16 NMAC 34.11.8, 06-16-01; A, 07-16-04]