

NOTICE OF PUBLIC RULEMAKING HEARING

The New Mexico Board of Nursing (NMBON) will hold a Public Rulemaking Hearing on Thursday, June 7, 2018. The Rulemaking Hearing will begin at 9:00 a.m. The Rulemaking Hearing will be held at The Albuquerque Journal Theater at the National Hispanic Cultural Center, located at 1701 4th St. SW, Albuquerque, NM 87102.

Statutory authority for this rulemaking can be found in Section 61-3-10 et seq. NMSA 1978 and Section 61-36-3 et seq. NMSA 1978.

The purpose of the Rulemaking Hearing is to hear public testimony and comments regarding the proposal to repeal the rule:

Title 16 Occupational and Professional Licensing, Chapter 12 Nursing and Health Care Related Providers - Part 6 Nurse Licensure Compact.

These rules apply to the original Nurse Licensure Compact. As New Mexico entered the Enhanced Nurse Licensure Compact (eNLC) on January 18, 2018 (§61-3-24.1 NMSA 1978), the rules are no longer applicable. The eNLC has an Interstate Commission, which promulgates all legally binding rules with no requirement for ratification and/or adoption by the member states.

In addition, the purpose of the Rulemaking Hearing is to hear public testimony and comments regarding the proposed new rule:

Title 16 Occupational and Professional Licensing, Chapter 12 Nursing and Health Care Related Providers - Part 11 Lactation Care Providers.

Pursuant to the Lactation Care Provider Act, 61-36 NMSA 1978, the NMBON is proposing to adopt the new rule to promote, preserve and protect the public health, safety and welfare of the citizens of the state by establishing standards for licensure and regulation of licensed lactation care providers in New Mexico. Specifically the proposed new rule addresses the requirements for initial licensure as a lactation care provider, the requirements for ongoing licensure, including continuing education, the standards of practice for licensed lactation care providers, and disciplinary proceedings including the definitions of incompetence and unprofessional conduct. No specific technical information serves as a basis for this proposed rule.

Persons desiring to view the proposed rule to be repealed or the new rule may download them from <http://nmbon.sks.com/rule-changes.aspx>. If you do not have internet access, a copy of the proposed rules may be requested by contacting the NMBON at (505) 841-9094.

Written comments may be submitted via email to BON.Legal@state.nm.us. If submitting comments via email specify in the subject line the following: NMBON Public Comments. Written comments may also be filed by sending original, signed copies to:

New Mexico Board of Nursing
ATTN: NMBON Public Comments
6301 Indian School Road, NE, Suite 710
Albuquerque, NM 87110

Persons wishing to submit written comments regarding the proposed rules should submit them to the Board office no later than Wednesday, May 16, 2018. Written comments will be given the same consideration as oral testimony made at the public hearing. All written comments must be received no later than 5:00 p.m. MDT, Wednesday, May 16, 2018.