

PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Board of Optometry will hold a rule hearing on Friday, January 28, 2019, at 10:00 a.m. Following the rule hearing, the Board will convene a board meeting to adopt the rules and take care of regular business. The rule hearing and board meeting will be held at the New Mexico State Capitol, 490 Old Santa Fe Trail, Santa Fe, New Mexico, in Room 326.

The purpose of the rule hearing is to consider proposed amendments to the following rules:

16.16.4 NMAC - Requirements for Licensure

16.16.11 NMAC - License Expiration Due to Non- Renewal; Reactivation

16.16.13 NMAC - Continuing Education

To obtain and review copies of the proposed changes you may go to the Board's website at: http://www.rld.state.nm.us/boards/Optometry_Rules_and_Laws.aspx, or contact the Boards and Commissions Division at (505) 476-4622.

The Board is currently accepting public comments on the proposed amendments. Please submit written comments on the proposed changes to Cynthia Lyons, Board Administrator, via electronic mail at optometry.bd@state.nm.us, or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than Thursday, January 27, 2019. Persons will also be given the opportunity to present their comments at the rule hearing.

An individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing, please contact Cynthia Lyons, Board Administrator at (505) 476-4622.

Statutory Authority: Legal authority for this rulemaking can be found in the Optometry Act, NMSA 1978 Sections 61-2-1 through -18 (1985, as amended through 2010) which, among other provisions, specifically authorizes the Board to "adopt rules necessary to implement the provisions of the Optometry Act." Subsection D of Section 61-2-6 NMSA 1978.

Summary of Proposed Changes:

16.16.4 NMAC – Requirements for Licensure

Requirements for Licensure by Endorsement states that practitioners from other states go through all the same requirements as new graduates. This change will expedite licensure for applicants by endorsement.

16.16.11 NMAC – License Expiration Due to Non- Renewal; Reactivation

Clarify penalty fee to reflect fee for reinstatement by reducing the fees associated with Non-renewal reactivation, in order to make it easier for previously licensed optometrists to resume practicing in New Mexico. This would help with the current shortage of Optometrist.

16.16.13 NMAC - Continuing Education

Proposed change is a semantic change only and will have no impact on licensed Doctors of Optometry to Paragraph (2) of Subsection A of 16.16.13.8 NMAC.