

**PUBLIC RULE HEARING AND REGULAR BOARD MEETING**

The New Mexico Board of Optometry will hold a rule hearing on Friday, March 29, 2019, at 1:00 p.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 Regulation and Licensing Department, 5500 San Antonio Dr., NE, Albuquerque, New Mexico, in the Sandia Conference Room.

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](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 Martha Gallegos, Acting Board Administrator, via electronic mail at [optometry.bd@state.nm.us](mailto:optometry.bd@state.nm.us) or by regular mail at P.O. Box 25101, Santa Fe, NM 87504, no later than Thursday, March 28, 2019. Persons will also be given the opportunity to present their comments at the rule hearing. All written comments will be posted to the Board's website at: [http://www.rld.state.nm.us/boards/Optometry\\_Rules\\_and\\_Laws.aspx](http://www.rld.state.nm.us/boards/Optometry_Rules_and_Laws.aspx), no more than three business days following receipt to allow for public view.

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 Martha Gallegos, Acting Board Administrator at (505) 476-4622.

**Statutory Authority:** Legal authority for this rulemaking can be found in the Optometry Act, Sections 61-2-1 through -18, NMSA 1978 (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 Optometrists.

**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.