

**PUBLIC RULE HEARING AND REGULAR BOARD MEETING**

The New Mexico Physical Therapy Board will hold a rule hearing on Friday, January 11, 2019, at 12:00 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 Regulation and Licensing Department, 2550 Cerrillos, Road 2<sup>nd</sup> Floor, Santa Fe, NM, in the Rio Grande Conference Room.

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

16.20.2 NMAC- Examinations  
16.20.3 NMAC- Issuance of Licenses  
16.20.4 NMAC- Temporary License  
16.20.6 NMAC - Physical Therapist Assistance  
16.20.7 NMAC - Physical Therapist Supervision  
16.20.13 NMAC – (New Part) Dry Needling Provision

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/Physical\\_Therapy\\_Rules\\_and\\_Laws.aspx](http://www.rld.state.nm.us/boards/Physical_Therapy_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: [Physicaltherapy@state.nm.us](mailto:Physicaltherapy@state.nm.us), or by regular mail at P.O. Box 25101, Santa Fe, NM 87504 no later than Thursday, January 10, 2019. Comments will be posted to the RLD website at: [http://www.rld.state.nm.us/boards/Physical\\_Therapy\\_Rules\\_and\\_Laws.aspx](http://www.rld.state.nm.us/boards/Physical_Therapy_Rules_and_Laws.aspx). 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 505.476.4622.

**Statutory Authority:** Legal authority for this rulemaking can be found in the Physical Therapy Act, NMSA 1978 Sections 61-12D-1 through -12D19 which, among other provisions, specifically authorizes the Board to "adopt rules necessary to implement the provisions of the Physical Therapy Act." Section 61-12D-5, NMSA 1978.

**Summary of Proposed Changes:**

**16.20.2 NMAC - Physical Therapists**

Add language to clarify how many times an applicant may sit for the NPTE in a 12-month period based on the requirements of the testing agency. Add new "Subsection 11" which will provide applicants with an alternate method to apply for the FSBPT national licensure exam. With this method, the applicant does not need to apply with the State of New Mexico until they have passed the national exam.

**16.20.3 NMAC - Issuance of Licenses**

Language change is to correct a grammatical error and adds new subsections to Section 8 which will be added to include criminal background checks per the requirements necessary to set up a Compact for licensure through the Federation of State Boards of Physical Therapy (FSBPT).

**16.20.4 NMAC – Temporary Licenses**

Correction of grammatical errors.

**16.20.6 NMAC – Physical Therapist Assistants**

Correction of grammatical errors.

**16.20.7 NMAC Supervision**

Clarify the use of both the physical therapist and physical therapist assistant, providing supervision of unlicensed aides.

**16.20.13 NMAC – Dry Needling Provision (New Part)**

This new part is added to clarify the practice of “dry needling” in the State of New Mexico. The procedure is allowed within the scope of practice for a physical therapist and is supported by the American Physical Therapy Association (APTA) and the Federation of State Boards for Physical Therapy (FSBPT). This new part will clarify the procedure to obtain certification required when providing dry needling services in the State of New Mexico.