

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 1 GENERAL PROVISIONS

16.6.1.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.
[16.6.1.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.2 SCOPE: This part applies to the board, the naprapathic task force, licensees, applicants, and the general public.
[16.6.1.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.
[16.6.1.3 NMAC - N, 09-30-04; 9-22-11]

16.6.1.4 DURATION: Permanent.
[16.6.1.4 NMAC - N, 09-30-04]

16.6.1.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.
[16.6.1.5 NMAC - N, 09-30-04]

16.6.1.6 OBJECTIVE: This part establishes definitions of terms for rules filed in this chapter, the purpose and organization structure of the naprapathic task force, requirements for display of license, unlicensed practices prohibition, record keeping requirements and inspection of public records limitations.
[16.6.1.6 NMAC - N, 09-30-04; 9-22-11]

16.6.1.7 DEFINITIONS:

- A. **“Applicant”** means a person who is applying to be licensed for the first time as a naprapath in New Mexico.
 - B. **“Naprath”** means a person who practices naprapathy licensed by the board and has met all requirements.
 - C. **“Naprath”** means a branch of medicine that focuses on the evaluation and treatment of neuro-musculoskeletal conditions. Doctors of naprapathy are connective tissue specialists.
 - D. **“Board”** means the medical board.
 - E. **“Fund”** means the New Mexico medical board fund.
 - F. **“License”** means an authorization by the board that permits a person to practice naprapathy in the state.
 - G. **“Licensee”** means a person licensed by the board to practice naprapathy.
 - H. **“Advertising”** means any communication whatsoever, disseminated by any means whatsoever, to or before the public or any portion thereof, with the intent of furthering the purpose, either directly or indirectly, of selling professional services, educating the public, or including members of the public to enter into any obligation relating to such professional services.
 - I. **“Revocation”** means a permanent loss of licensure.
 - J. **“Suspension”** means a loss of licensure for a certain period, after which the person may be required to file for reinstatement.
 - K. **“Complaint”** means a sworn written complaint.
 - L. **“Complainant”** means the complaining party of the complaint filed against a licensee or applicant for licensure, who is regulated by the medical board.
 - M. **“Respondent”** means a licensee or applicant for licensure who is regulated by the board.
 - N. **“Notice of contemplated action”** means the administrative process used by the board for a licensee or applicant for licensure to be afforded notice and an opportunity to be heard in a formal hearing before the board has any authority to take any action which could result in denial, suspension, revocation, restricting, monitoring, censuring, etc., of a license or application or licensure.
- [16.6.1.7 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.8 PURPOSE OF THE NAPRAPATHIC TASK FORCE: The naprapathic task force shall advise the board regarding licensure of naprapaths, approval of naprapathy curricula and any other matters that are necessary to ensure the training and licensure of naprapaths.
[16.6.1.8 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.9 ORGANIZATION:
A. The naprapathic task force is created under the direction of the board.
B. The naprapathic task force shall be composed of no fewer than two licensees, appointed by the board, who are residents of the state. Vacancies on the naprapathic task force shall be filled by appointment by the board.
[16.6.1.9 NMAC - N, 09-30-04; A, 07-31-08; A, 9-22-11]

16.6.1.10 DISPLAY OF LICENSE: Every licensee must display a current license issued by the board in a conspicuous location where the holder practices naprapathy.
[16.6.1.10 NMAC - N, 09-30-04; A, 9-22-11]

16.6.1.11 UNLICENSED PRACTICE:
A. Persons practicing naprapathy without a license, misrepresenting themselves or aiding and abetting unlicensed practice may be fined up to \$1000.00 after notice and hearing.
B. Aiding unauthorized practice: The naprapath shall not aid or abet another person in his or her professional credentials or illegally engaging in the practice of naprapathy.
[16.6.1.11 NMAC - N, 09-30-04]

16.6.1.12 RECORD KEEPING: Every naprapath shall keep a record of naprapathic examinations and treatments made that shall include the names of persons examined and treated. The records shall be signed by the licensed naprapath and preserved by him/her in the office in which the professional service was rendered. The records shall be preserved by the naprapath for a period no less than three (3) years after the last date of service. A copy of the patient's file shall be provided, upon written request, to the person examined and treated or to his/her designee.
[16.6.1.12 NMAC - N, 09-30-04]

16.6.1.13 INSPECTION OF PUBLIC RECORDS: Refer to Title 16, Chapter 10, Part 1 of the New Mexico medical board rules.
[16.6.1.13 NMAC - N, 09-30-04; A, 9-22-11]

HISTORY OF 16.6.1 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 2 CODE OF CONDUCT

16.6.2.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.
[16.6.2.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.2.2 SCOPE: This part applies to applicants and licensees.
[16.6.2.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.2.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.
[16.6.2.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.2.4 DURATION: Permanent.
[16.6.2.4 NMAC - N, 09-30-04]

16.6.2.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.

[16.6.2.5 NMAC - N, 09-30-04]

16.6.2.6 OBJECTIVE: This part establishes the ethical requirements for applicants and licensees.

[16.6.2.6 NMAC - N, 09-30-04]

16.6.2.7 DEFINITIONS: [Reserved]

16.6.2.8 CODE OF CONDUCT: Refer to the American naprapathic association (ANA) code of conduct.

[16.6.2.8 NMAC - N, 09-30-04]

HISTORY OF 16.6.2 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 3 FEES

16.6.3.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.

[16.6.3.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.3.2 SCOPE: This part applies to applicants, licensees, continuing education program providers and the general public.

[16.6.3.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.3.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.

[16.6.3.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.3.4 DURATION: Permanent.

[16.6.3.4 NMAC - N, 09-30-04]

16.6.3.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.

[16.6.3.5 NMAC - N, 09-30-04]

16.6.3.6 OBJECTIVE: This part establishes the fee structure for application, licensure, license renewal, inactive status, reactivation, reinstatement and miscellaneous charges.

[16.6.3.6 NMAC - N, 09-30-04]

16.6.3.7 DEFINITIONS: [Reserved]

16.6.3.8 FEES: All fees payable to the board are non-refundable.

A. **PROCESSING FEE:** \$75.00. The board shall assess a processing fee for administrative processing of applications.

B. **INITIAL LICENSURE FEE:** \$500.00. The initial licensure fee shall be five hundred dollars (\$500.00) in addition to the processing fee.

C. **RENEWAL FEE:** \$500.00. The renewal fee shall be five hundred dollars (\$500.00) annually due no later than July 1st of each year. In the event that a licensee fails to renew their license by the deadline of any year, the board is required to assess a late fee. If an initial license is granted on or after April 1st of any year but before the license expiration date of June 30th the license will be good until the following year and the licensee will not be required to pay the renewal fee for the first year.

D. **LATE FEES:**

(1) \$100.00 to 300.00. If a renewal is post-marked past the deadline of July 1st, the board is required to charge a late fee

(a) \$100.00. Late fee after July 1 through August 1

(b) \$200.00. Late fee after August 1 thru September 1

(c) \$300.00. Late fee after September 1 through October 1

(2) If a licensee renews their license by October 1, they must submit a renewal application accompanied by the fee and late fee. If the licensee fails to renew their license by October 1 the licensee must reinstate their license as set forth in the reinstatement procedures of the board.

E. **INACTIVE STATUS FEE:** \$100.00. A licensee may submit a request in writing to the board office to be placed on inactive status. The fee for inactive status is one hundred dollars (\$100.00) annually. Once a license is placed on inactive status, the licensee cannot practice naprapathy in New Mexico.

F. **REACTIVATION FROM INACTIVE STATUS:** \$50.00. If the inactive licensee requests reactivation from inactive status to active status, the licensee must complete an application for reactivation form provided by the board. The licensee will be required to pay the renewal fee. The applicant may be required to re-take the national examination at the discretion of the board.

G. **REINSTATEMENT FEE:** \$500.00. If the expired licensee requests to reinstate their license, the licensee will be required to pay a five hundred dollar (\$500.00) reinstatement fee, renewal fee, the processing fee and submit a reinstatement application. The applicant may be required to re-take the national examination at the discretion of the board.

H. **DUPLICATE LICENSE:** \$50.00. The fee for a duplicate of original certificate of licensure to replace a lost certificate of licensure, or a replacement certificate of licensure with a new name, or for a board verified copy of certificate of licensure shall be fifty dollars (\$50.00).

I. **OTHER MISCELLANEOUS CHARGES:**

(1) license list	\$ 25.00
(2) license labels	\$ 50.00
(3) list/labels for commercial use	\$150.00
(4) copy fee; per page	\$ 1.00
(5) continuing education provider fee	\$ 75.00

[16.6.3.8 NMAC - N, 09-30-04; A, 07-31-08; A, 05-24-10; A, 9-22-11]

HISTORY OF 16.6.3 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 4 LICENSE EXPIRATION AND RENEWAL

16.6.4.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.

[16.6.4.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.4.2 SCOPE: This part applies to applicants and licensees.

[16.6.4.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.4.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.

[16.6.4.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.4.4 DURATION: Permanent.

[16.6.4.4 NMAC - N, 09-30-04]

16.6.4.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.

[16.6.4.5 NMAC - N, 09-30-04]

16.6.4.6 OBJECTIVE: This part establishes the requirements for license renewal.

[16.6.4.6 NMAC - N, 09-30-04]

16.6.4.7 DEFINITIONS: [Reserved]

16.6.4.8 LICENSE EXPIRATION AND RENEWAL:

A. **License renewal:** Each licensee shall renew their license annually, postmarked on or before July 1st of every year by remitting to the board office a renewal fee as set forth in Subsection C of 16.6.3.8 NMAC with the renewal application form provided by the board. Continuing education hours shall be documented yearly and submitted with renewal application form.

B. **Licensee responsibility:** Renewal application notices will be mailed to the last known address on file with the board office. It is the responsibility of the licensee to keep the board informed of any changes in address or phone numbers. Failure to receive the application notice shall not relieve the licensee of the responsibility of renewing their license(s) before the expiration date.

C. **Late renewal after July 1st:** The licensee must pay a late fee as set forth in Subsection D of 16.6.3.8 NMAC. If a licensee renews their license by October 1st they must submit a renewal application accompanied by the renewal fee and the late fee.

D. **Late renewal after October 1st:** The licensee must reinstate the license. If the licensee fails to renew their license by October 1st the licensee must reinstate their license as set forth in the reinstatement procedures of the board.

[16.6.4.8 NMAC - N, 09-30-04; A, 07-31-08; A, 05-24-10]

HISTORY OF 16.6.4 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 5 INACTIVE STATUS, REINSTATEMENT

16.6.5.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.
[16.6.5.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.5.2 SCOPE: This part applies to licensed naprapaths as well as naprapaths who have previously held a license to practice in New Mexico and wish to inactivate a license, reinstate an inactive license or reinstate a license from expired status.
[16.6.5.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.5.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.
[16.6.5.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.5.4 DURATION: Permanent.
[16.6.5.4 NMAC - N, 09-30-04]

16.6.5.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.
[16.6.5.5 NMAC - N, 09-30-04]

16.6.5.6 OBJECTIVE: This part establishes the requirements for placement of a license on inactive status, reinstatement from inactive status and reinstatement from expired status.
[16.6.5.6 NMAC - N, 09-30-04; A, 9-22-11]

16.6.5.7 DEFINITIONS: [Reserved]

16.6.5.8 INACTIVE STATUS:

- A. A current licensee in good standing is eligible to be placed on inactive status.
- B. A licensee who wishes to be placed on inactive status shall notify the board office in writing before their license expires. The board will acknowledge receipt of the notification.
- C. A licensee shall pay the fees established by the board to be placed on inactive status by July 1st of every year.
- D. An inactive licensee is required to submit proof of continuing education required by an active licensee as defined in 16.6.6 NMAC.

E. Once a license is placed on inactive status, the licensee shall not practice naprapathy in New Mexico.

F. A licensee on inactive status shall at all times comply with the provisions of the code of conduct. [16.6.5.8 NMAC - N, 09-30-04; A, 05-24-10]

16.6.5.9 REINSTATEMENT FROM INACTIVE STATUS: If an inactive licensee requests to reinstate their license; the licensee is required to:

A. pay the reinstatement fee and renewal fee established by the board to reinstate their license as defined in 16.6.3.8 NMAC;

B. submit a reinstatement application provided by the board office;

C. submit 30 continuing professional education (CPE) hours for every year licensee has been inactive as defined in 16.6.6 NMAC;

D. submit verification of licensure, if licensed or previously licensed in another state(s) or jurisdiction; verification shall be sent directly to the board office from the issuing state(s) or jurisdiction; and

E. the applicant may be required to take the national examination at the discretion of the board.

[16.6.5.9 NMAC - N, 05-24-10; A, 9-22-11]

16.6.5.10 REINSTATEMENT FROM EXPIRED STATUS: If an expired licensee requests to reinstate their license; the licensee is required to:

A. pay the reinstatement fee, processing fee and renewal fee established by the board to reinstate their license as defined in 16.6.3.8 NMAC;

B. submit a reinstatement application provided by the board office;

C. submit 30 continuing professional education (CPE) hours for every year the license has been expired as defined in 16.6.6 NMAC;

D. submit verification of licensure, if licensed or previously licensed, in another state(s) or jurisdiction; verification shall be sent directly to the board office from the issuing state(s) or jurisdiction; and;

E. the applicant may be required to take the national examination at the discretion of the board.

[16.6.5.10 NMAC - N, 05-24-10; A, 9-22-11]

HISTORY OF 16.6.5 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 6 CONTINUING EDUCATION

16.6.6.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.

[16.6.6.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.6.2 SCOPE: This part applies to licensed naprapaths as well as naprapaths who have previously held a license to practice in New Mexico and wish to reinstate an inactive license or reinstate a license from expired status.

[16.6.6.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.6.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.

[16.6.6.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.6.4 DURATION: Permanent.

[16.6.6.4 NMAC - N, 09-30-04]

16.6.6.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.

[16.6.6.5 NMAC - N, 09-30-04]

16.6.6.6 OBJECTIVE: This part establishes continuing education requirements for license renewal.

[16.6.6.6 NMAC - N, 09-30-04]

16.6.6.7 **DEFINITIONS:** [Reserved]

16.6.6.8 **CONTINUING EDUCATION:**

A. The licensee shall report thirty (30) hours of continuing professional education hours (CPE) per year at the time of renewal. Three (3) of the thirty (30) continuing education hours shall be in ethics.

B. The naprapathic task force shall make recommendations to the board for approval of continuing education courses that meet standard requirements.

C. A licensee that has allowed a license to expire and is seeking reinstatement, must conform to continuing education licensure requirements from the date the license expired.

[16.6.6.8 NMAC - N, 09-30-04; A, 05-24-10; A, 9-22-11]

HISTORY OF 16.6.6 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRATHIC PRACTITIONERS
PART 7 LICENSURE BY ENDORSEMENT AND EXAMINATION

16.6.7.1 **ISSUING AGENCY:** New Mexico Medical Board, hereafter called the board.

[16.6.7.1 NMAC - N, 10-1-04; A, 9-22-11]

16.6.7.2 **SCOPE:** This part applies to naprapathic physicians applying for licensure in New Mexico.

[16.6.7.2 NMAC - N, 10-1-04; A, 9-22-11]

16.6.7.3 **STATUTORY AUTHORITY:** This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.

[16.6.7.3 NMAC - N, 10-1-04; A, 9-22-11]

16.6.7.4 **DURATION:** Permanent.

[16.6.7.4 NMAC - N, 10-1-04]

16.6.7.5 **EFFECTIVE DATE:** October 1, 2004, unless a later date is cited at the end of a section.

[16.6.7.5 NMAC - N, 10-1-04]

16.6.7.6 **OBJECTIVE:** This part establishes the requirements for licensure by endorsement.

[16.6.7.6 NMAC - N, 10-1-04]

16.6.7.7 **DEFINITIONS:** [Reserved]

16.6.7.8 **LICENSURE BY ENDORSEMENT OR EXAMINATION:** A license may be issued to practice naprapathy to individuals who satisfy the following criteria:

A. is at least twenty-one years of age;

B. has graduated from a two-year college-level program or an equivalent program approved by the board after consultation with the naprapathic task force;

C. has completed, in not less than three years, a four-year academic curriculum in naprapathy, that is approved by the board after consultation with the naprapathic task force, and the person has successfully completed one hundred thirty-two hours of academic credit, including sixty-six credit hours in basic science courses with emphasis on the study of connective tissue, and sixty-six credit hours in clinical naprapathic science, theory and application;

D. passed the national examination administered by the national board of naprapathic examiners and provides the board with evidence of successful completion or holds a current valid license in good standing as a naprapath in another state(s), jurisdiction, Sweden, Norway or Finland;

E. provide two (2) letters of recommendation from individuals licensed as a naprapath, in good standing, at the time the letters were written;

F. provide one (1) letter of personal reference from anyone with whom the applicant has worked with the past three years;

G. verification of licensure, if licensed or previously licensed in another state or jurisdiction; verification must be sent directly to the board office from the issuing state(s) or jurisdiction; and;

H. has met all other requirements of the Naprapathic Practice Act.

[16.6.7.8 NMAC - N, 10-1-04; A, 05-24-10; A, 9-22-11]

16.6.7.9 LICENSURE BY EXAMINATION DOCUMENTATION REQUIREMENTS: Each applicant for licensure by examination must submit the required fees and following documentation:

A. completed application signed and notarized with a nonrefundable processing and initial licensure fee;

B. official transcripts from the accredited programs as defined in Subsections B and C of 16.6.7.8 NMAC;

C. certified copy of national board of naprapathic examination certificate;

D. provide two (2) letters of recommendation from individuals licensed as naprapaths, in good standing at the time the letter is written;

E. provide one (1) letter of personal reference from anyone with whom the applicant has worked, with the past three years; and

F. submit verification of licensure, if currently or previously licensed in another state(s) or jurisdiction, verification must come directly from the issuing state(s) or jurisdiction; verification must include the state seal or international equivalent and must attest to the status, issue date and license number.

[16.6.7.9 NMAC - N, 05-24-10]

16.6.7.10 LICENSURE BY ENDORSEMENT DOCUMENTATION REQUIREMENTS: Each applicant for licensure by endorsement must submit the required fees and following documentation:

A. completed application signed and notarized with a nonrefundable processing and initial licensure fee;

B. official transcripts from the accredited programs as defined in Subsections B and C of 16.6.7.8 NMAC;

C. certified copy of national board of naprapathic examination certificate; or;

D. provide two (2) letters of recommendation from individuals licensed as naprapaths, in good standing at the time the letter is written;

E. provide one (1) letter of personal reference from anyone with whom the applicant has worked, with the past three years;

F. submit verification of licensure where the applicant holds a license in good standing to practice naprapathy; verification must be sent directly from the issuing state(s), jurisdiction or international board; verification must include a board state seal or international equivalent and must attest to the status, issue date and license number.

[16.6.7.10 NMAC - N, 05-24-10]

HISTORY OF 16.6.7 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 8 PRACTICE PROCEDURES

16.6.8.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.

[16.6.8.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.8.2 SCOPE: This part applies to applicants and licensees.

[16.6.8.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.8.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.

[16.6.8.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.8.4 DURATION: Permanent.
[16.6.8.4 NMAC - N, 09-30-04]

16.6.8.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.
[16.6.8.5 NMAC - N, 09-30-04]

16.6.8.6 OBJECTIVE: This part establishes diagnostic procedures, meridian therapy and rehabilitation of the neuromusculoskeletal system.
[16.6.8.6 NMAC - N, 09-30-04; A, 9-22-11]

16.6.8.7 DEFINITIONS: [Reserved]

16.6.8.8 DIAGNOSTIC PROCEDURES:

A. Naprapathic physicians are authorized to perform diagnostic procedures specified in this regulation, which shall include the authority to perform and take:

- (1) medical case history;
- (2) physical examination of all body systems including, but not limited to:
 - (a) skin, hair, nails, head, eyes, ears, nose;
 - (b) cardiovascular and respiratory system, including auscultation;
 - (c) musculoskeletal system;
 - (d) neurological system.

B. Naprapathic physicians are authorized to order any diagnostic procedure from any recognized laboratory or imaging facility reasonably necessary to clinically correlate a physical examination to a diagnostic impression; which shall include, but not be limited to laboratory procedures involving the collection of human fluids, such as saliva, blood, urine, hair, feces and special imaging, such as x-ray; CT scan, MRI, nuclear scans, ultrasonography, thermography, beaches emergency assistance ministry (B.E.A.M.), EEG, EKG, ECG and surface or needle EMG.

[16.6.8.8 NMAC - N, 09-30-04; A, 9-22-11]

16.6.8.9 MERIDIAN THERAPY:

A. Naprapaths who practice meridian therapy shall do so in conjunction with standard naprapathic adjusting and manipulative techniques.

B. Naprapaths who practice meridian therapy may not advertise or promote themselves in the media to be acupuncturists unless licensed pursuant to the Acupuncture Act.

[16.6.8.9 NMAC - N, 09-30-04; A, 9-22-11]

16.6.8.10 REHABILITATION OF THE NEUROMUSCULOSKELETAL SYSTEM: Naprapathic physicians may use all necessary mechanical, hygienic and sanitary measures incident to the care of the body including but not limited to air, sound, cold, diet, exercise, heat, light, massage, physical culture, rest, ultrasound, water, and electricity.

[16.6.8.10 NMAC - N, 09-30-04; A, 9-22-11]

HISTORY OF 16.6.8 NMAC: [Reserved]

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 9 SUPERVISION OF INTERNS**

16.6.9.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.
[16.6.9.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.9.2 SCOPE: This part applies to the applicants, intern naprapaths and licensees.
[16.6.9.2 NMAC - N, 09-30-04; A, 9-22-11]

16.6.9.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.
[16.6.9.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.9.4 DURATION: Permanent.
[16.6.9.4 NMAC - N, 09-30-04]

16.6.9.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.
[16.6.9.5 NMAC - N, 09-30-04]

16.6.9.6 OBJECTIVE: This part establishes the requirements for and supervision of interns.
[16.6.9.6 NMAC - N, 09-30-04]

16.6.9.7 DEFINITIONS: [Reserved]

16.6.9.8 SUPERVISION OF INTERNS:

A. The purpose for the intern program in New Mexico shall be to safely complete advanced training for the graduating naprapathic intern in the areas including, but not limited to, history taking, exams, patient report of findings, treatment recommendations, treatment room control, staff management, general clinic policies, problem solving skills, team concepts, goal setting, administrative skills, and other training the doctor may feel appropriate to complete the intern's advanced naprapathic training. This purpose enhances the professional training of the intern, the naprapathic college curriculum, the teaching skills of the doctor, the professional status of the profession of naprapathic and the professional standard of naprapathic health care available to New Mexico consumers.

B. Supervising doctor must have a current New Mexico license in "good standing" with the board and have been treating patients as a naprapath for at least three years.

C. Supervising doctor must have written verification from the college that the intern is in a CCE, or board approved equivalent thereof, accredited naprapathic college sanctioned intern program, and the doctor must assure compliance to the guidelines of the intern program.

D. Supervising doctor must personally train intern in naprapathic procedure.

E. Supervising doctor must be physically in the same treatment room overseeing the intern to provide care for any patient.

F. Public must be informed that the intern is an "intern naprapath, not licensed in the state", and must sign an informed consent document approved by the board to this effect.

G. Supervising doctor may allow intern to assist in various exams and therapies after being trained and cleared by the supervising doctor on proper naprapathic procedures.

H. The supervising doctor must inform the college if the intern is deemed professionally competent in the diagnosis or treatment of naprapathic patients.

I. A supervising doctor may not supervise more than two interns at one time.

J. Supervising doctor shall register with the board the interns' names, the college they are from, and the term of the internship, and provide proof of malpractice insurance for the supervising doctor in a minimum amount of \$1,000,000 per person - \$3,000,000 per occurrence coverage, at least 15 days before the first day of the internship.

K. The board is to be sent a copy of any report sent to the college involving the intern at the time the report is sent to the college.

[16.6.9.8 NMAC - N, 09-30-04; A, 05-24-10; A, 9-22-11]

HISTORY OF 16.6.9 NMAC: [Reserved]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS
PART 10 NAPRAPATHIC ASSISTANTS

16.6.10 filed August 31, 2004 is repealed effective May 24, 2010.

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 6 NAPRAPATHIC PRACTITIONERS

PART 11 PARENTAL RESPONSIBILITY ACT

16.6.11.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.

[16.6.11.1 NMAC - N, 09-30-04; A, 9-22-11]

16.6.11.2 SCOPE: This part applies to the board, licensees, applicants, and the general public.

[16.6.11.2 NMAC - N, 09-30-04]

16.6.11.3 STATUTORY AUTHORITY: This part is adopted pursuant to and in accordance with the Naprapathic Practice Act, Sections 61-12F-1 through 61-12F-11 NMSA 1978.

[16.6.11.3 NMAC - N, 09-30-04; A, 9-22-11]

16.6.11.4 DURATION: Permanent.

[16.6.11.4 NMAC - N, 09-30-04]

16.6.11.5 EFFECTIVE DATE: September 30, 2004, unless a later date is cited at the end of a section.

[16.6.11.5 NMAC - N, 09-30-04]

16.6.11.6 OBJECTIVE: This part establishes the requirements for compliance of the Parental Responsibility Act as it pertains to licensees and applicants for licensure.

[16.6.11.6 NMAC - N, 09-30-04]

16.6.11.7 DEFINITIONS:

- A. **“HSD”** means the New Mexico human services department.
- B. **“Statement of compliance”** means a certified statement from HSD stating that an applicant or licensee is in compliance with a judgment and order for support.
- C. **“Statement of non-compliance”** means a certified statement from HSD stating that an applicant or licensee is not in compliance with a judgment and an order for support.

[16.6.11.7 NMAC - N, 09-30-04]

16.6.11.8 PARENTAL RESPONSIBILITY ACT:

- A. The board adopts this section pursuant to the Parental Responsibility Act (Ch. 25, Laws of 1995).
- B. All terms defined in the Parental Responsibility Act shall have the same meanings in this section.

[16.6.11.8 NMAC - N, 09-30-04]

16.6.11.9 DISCIPLINARY ACTION: If an applicant or licensee is not in compliance with a judgment and order for support, the board:

- A. shall deny an application for a license;
- B. shall deny the renewal of a license; and
- C. has grounds for suspension or revocation of the license.

[16.6.11.9 NMAC - N, 09-30-04]

16.6.11.10 CERTIFIED LIST: Upon receipt of HSD's certified list of obligors not in compliance with a judgment and order for support, the board shall match the certified list against the current list of board licensees and applicants. Upon the later receipt of an application for license or renewal, the board shall match the applicant against the current certified list. By the end of the month in which the certified list is received, the board shall report to HSD the names of board applicants and licensees who are on the certified list and the action the board has taken in connection with such applicants and licensees.

[16.6.11.10 NMAC - N, 09-30-04]

16.6.11.11 INITIAL ACTION: Upon determination that an applicant or licensee appears on the certified list, the board shall:

- A. commence a formal proceeding in accordance with the Uniform Licensing Act (61-1-1 et seq.) to take the appropriate action pursuant to the Parental Responsibility Act; or
- B. for current licensees only, informally notify the licensee that the licensee's name is on the certified list, and that the licensee must provide the board with a subsequent statement of compliance from HSD for license

renewal or a specified date not to exceed thirty days; if the licensee fails to provide this statement, the board shall commence a formal proceeding in accordance with the Uniform Licensing Act.
[16.6.11.11 NMAC - N, 09-30-04; A, 9-22-11]

16.6.11.12 NOTICE OF CONTEMPLATED ACTION: Prior to taking any action pursuant to the Uniform Licensing Act, the board shall serve upon the applicant or licensee a written notice stating that:

A. the board has grounds to take such action, and that the board shall take such action unless the licensee or applicant:

(1) mails a letter (certified mail return receipt requested) within twenty (20) days after service of the notice requesting a hearing; or

(2) provides the board, within thirty (30) days of the date of the notice, with a statement of compliance from HSD;

B. if the applicant or licensee disagrees with the determination of non-compliance, or wishes to come into compliance, the applicant or licensee should contact the HSD child support enforcement division.

[16.6.11.12 NMAC - N, 09-30-04]

16.6.11.13 EVIDENCE AND PROOF: In any hearing pursuant to the Uniform Licensing Act, relevant evidence is limited to the following:

A. a statement of non-compliance is conclusive evidence that requires the board to take the appropriate action pursuant to the Parental Responsibility Act, unless:

B. the applicant or licensee provides the board with a subsequent statement of compliance which shall preclude the board from taking any action under the Uniform Licensing Act.

[16.6.11.13 NMAC - N, 09-30-04]

16.6.11.14 ORDER: When a disciplinary action is taken pursuant to the Uniform Licensing Act solely because the applicant or licensee is not in compliance with a judgment and order for support, the order shall state that the application or license shall be reinstated upon presentation of a subsequent statement of compliance. The board may also include any other conditions necessary to comply with board requirements for re-applications or reinstatement of lapsed licensees.

[16.6.11.14 NMAC - N, 09-30-04]

HISTORY OF 16.6.11 NMAC: [Reserved]