New Mexico Medical Board

New Mexico Medical Board Policy: Intravenous (IV) Therapy

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Approved by: New Mexico Medical Board

Background Information

It is the opinion of the New Mexico Medical Board, in collaboration with the New Mexico Board of Nursing and the New Mexico Board of Pharmacy that this practice falls under the practice of medicine and is subject to the respective statutes that regulate delivery of health care.

Purpose
To establish clear standards and regulatory expectations for the safe, effective, and ethical administration of non-emergent intravenous (IV) therapy in New Mexico. This policy guides healthcare providers on licensure, practice standards, patient evaluation, treatment protocols, and compliance with applicable laws and regulations.

Scope
This policy applies to all licensed medical professionals and healthcare facilities operating in New Mexico that provide IV therapy for therapeutic, supportive, preventive, or complementary health purposes, including hydration, nutritional supplementation, and elective or aesthetic treatments.

FDA-Approved Indications
Only fluids, electrolytes, nutrients, medications, and supplements approved by the U.S. Food and Drug Administration (FDA) and obtained from a legitimate and properly licensed source, in compliance with state and federal laws, can be used for intravenous administration. Off-label uses must be clinically justified and consistent with evidence-based guidelines and patient safety standards.

Policy Guidelines

1. **Licensure and Certification,**
    - All practitioners must possess a valid and current license from their respective New Mexico regulatory boards.
    - Pharmacy professionals preparing or dispensing IV substances must be licensed by the New Mexico Board of Pharmacy.
    - All practitioners must comply with USP, state and Federal (including DEA) requirements.
2. **Scope of Practice**
    - Each practitioner must practice strictly within the defined scope of their professional licensure.
    - All IV therapy services must be provided under appropriate medical supervision.
3. **Patient Assessment and Screening**
    - A compliant telemedicine evaluation by a licensed prescriber is required before administering any IV treatment.
    - Medical history, medication list, allergies, contraindications, and current health status must be reviewed and documented.
4. **Patient Education and Informed Consent**
    - Informed consent must be obtained before treatment, including a discussion of risks, benefits, alternatives, and limitations.
    - Patients must receive realistic information free of misleading or exaggerated health claims.
5. **Treatment Protocols and Administration**
    - IV treatments must be ordered by a licensed prescriber based on clinical necessity.
    - Aseptic techniques must be always used.
    - Providers must comply with USP Chapter <797> and <800> standards for sterile preparation handling and hazardous drugs, respectively.
6. **Monitoring and Management of Adverse Reactions**
    - Providers must monitor patients continuously during infusion.
    - Emergency protocols must be in place to manage allergic or infusion-related reactions, extravasation, and other complications.
7. **Documentation and Record-Keeping**
    - Records must include clinical rationale, consent forms, detailed administration notes, lot numbers of administered substances, and patient outcomes.
    - All records must comply with HIPAA and New Mexico Medical Board documentation standards.
8. **Emergency Preparedness**
    - IV therapy facilities must maintain emergency supplies (e.g., epinephrine, oxygen, AEDs) and CPR-trained personnel.
    - A written emergency response plan must be posted and reviewed regularly.
9. **Quality Assurance and Safety**
    - Regular audits, equipment maintenance, and infection control reviews are required.

- Practices must implement inventory controls, including lot tracking and drug reconciliation logs.

10. **Competency Requirements**

- Physicians must ensure they are competent to perform or supervise IV therapy.
- If IV therapy is part of a physician's scope of practice, they must maintain adequate training and knowledge, which could include CME.
- When IV therapy is delegated to staff (e.g. RNs, LPNs, MAs), the physician must verify the staff member's training and licensure, maintain overall responsibility, and be available for consultation or intervention.

11. Ethical and Legal Considerations

- The delivery of IV therapy without a valid license, appropriate supervision, or patient evaluation is considered unlicensed medical practice.
- Misrepresentation of treatment efficacy in advertising is a violation of professional ethics and may result in disciplinary action.

Enforcement Requirements

- Noncompliance with this policy may result in investigation, fines, suspension, or revocation of licensure.
- Facilities may be subject to unannounced inspections, audits, and corrective action requirements.

References

1. American IV Therapy Association. Industry Position Statement, Version 3.1, June 5, 2024. https://www.americaniv.com/
2. Rhode Island Department of Health. Guidance Document Regarding the Operation of Medical Spas and Intravenous (IV) Therapy Business, July 2024. https://health.ri.gov/publications/guidance/Medical-Spa-and-IV-Therapy-Business.pdf
3. New Mexico Medical Practice Act, NMSA 1978, Chapter 61, Article 6. https://www.nmmb.state.nm.us/
4. USP Chapter <797> and <800> Guidelines. United States Pharmacopeia. https://www.usp.org/
5. Centers for Disease Control and Prevention (CDC). Guidelines for the Prevention of Intravascular Catheter-Related Infections. https://www.cdc.gov/infection-control/hcp/intravascular-catheter-related-infection/index.html
6. New Mexico Board of Pharmacy Regulations. https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/pharmacy/

7. New Mexico Board of Nursing Regulations. https://www.bon.nm.gov
8. U.S. Food and Drug Administration. Drugs@FDA Database. https://www.accessdata.fda.gov/scripts/cder/daf/

9. New Mexico Board of Nursing Regulations. https://www.bon.nm.gov
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