TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 10 MEDICINE AND SURGERY PRACTITIONERS
PART 23 GENERAL PROVISIONS

16.10.23.1 ISSUING AGENCY: New Mexico Medical Board hereafter called the board, with the recommendations of the podiatry advisory committee, hereafter called the committee.
[16.10.23.1 NMAC - Rp, 16.21.1.1 NMAC 12/9/2025]

16.10.23.2 SCOPE: The provisions in 16.10.23 NMAC apply to all parts of Chapter 10 and provide information for applicants, licensed podiatric physician, board members, and members of the public.
[16.10.23.2 NMAC - Rp, 16.21.1.2 NMAC 12/9/2025]

16.10.23.3 STATUTORY AUTHORITY: Podiatry Act, Subsection E of Section 61-8-6 NMSA 1978 and the Medical Practice Act, Sections 61-6-1 through 61-6-35 NMSA1978.
[16.10.23.3 NMAC - Rp, 16.21.1.3 NMAC 12/9/2025]

16.10.23.4 DURATION: Permanent.
[16.10.23.4 NMAC - Rp, 16.21.1.4 NMAC 12/9/2025]

16.10.23.5 EFFECTIVE DATE: December 9, 2025, unless a later date is cited at the end of a section.
[16.10.23.5 NMAC - Rp/E, 16.21.1.5 NMAC 12/9/2025]

16.10.23.6 OBJECTIVE: This part provides general provisions for the practice of podiatry, licensee responsibility, and requirements for the conduct of board business.
[16.10.23.6 NMAC - Rp, 16.21.1.6 NMAC 12/9/2025]

16.10.23.7 DEFINITIONS:

A. **"APMLE"** means American podiatric medical licensing examination.

B. **"Board"** means board The New Mexico medical board.

C. **"Committee"** means podiatry advisory committee

D **"CPME"** means the council on podiatric medical education.

E. **"NBPME"** means the national board of podiatric medical examiners.

F. **"Practice of podiatry"**: means engaging in that primary health care profession, the members of which examine, diagnose, treat and prevent by medical, surgical and biomechanical means ailments affecting the human foot and ankle and the structures governing their functions, but does not include amputation of the foot or the personal administration of a general anesthetic.

G. **"Podiatric physician"** is defined as a physician, pursuant to the laws of this state, and defined as a physician and surgeon within the scope of the podiatric physician license.

H. **"Foot and ankle radiation technologist"** means a person who takes x-rays of the foot and ankle under supervision of the podiatric physician.
[16.10.23.7 NMAC - Rp, 16.21.1.7 NMAC 12/9/2025]

16.10.23.8 SCOPE OF PRACTICE:

A. For the purpose of clarification of the Podiatry Act, Subsection C of Section 61-8-2 NMSA 1978, the practice of podiatry:

(1) in regard to surgical treatment shall include the skin and subcutaneous tissues of the thigh and all structures distal to the knee.

(2) does include amputation of any portion of the foot;

(3) does allow the use of the services of a certified registered nurse anesthetist; and

(4) a licensed podiatrist may assist a licensed medical or osteopathic physician in the performance of any surgery of the lower extremities.

B. A podiatric physician shall be recognized and permitted to supervise and administer hyperbaric oxygen following the published recommendations of the undersea and hyperbaric medical society, inc. "UHMS" and within the credentials and bylaws of the facility that operates the hyperbaric unit with the following stipulation; prior to administering hyperbaric oxygen, a podiatric physician must have on file with the, board, documentation certifying compliance with the above requirements.

[16.10.23.8 NMAC - Rp, 16.21.1.8 NMAC 12/9/22025]

16.10.23.9 LICENSE DISPLAY: A valid license must be displayed and must be visible to the public in each place of business.
[16.10.23.9 NMAC - Rp, 16.21.1.9 NMAC 12/9/2025]

16.10.23.10 RESPONSIBILITY OF LICENSEE: It is the responsibility of the licensed podiatrist to keep the board informed of a current mailing address and email within 30 days of changes. All correspondence, including renewal forms, will be mailed or emailed to the last address on file. The board assumes no responsibility for renewal applications or other correspondence not received because of a change of mailing address or email address.
[16.10.23.10 NMAC - Rp, 16.21.1.10 NMAC 12/9/2025]

16.10.23.11 SEVERABILITY: The provisions of these regulations are severable. If any parts of these regulations are held invalid, the remaining provisions shall remain in force and effect.
[16.10.23.1 NMAC - Rp, 16.21.1.11 NMAC 12/9/2025]

16.10.23.12 COMMITTEE ORGANZIATION, POWERS AND DUTIES:

A. The committee shall consist of three members, one member who shall be the executive director of the New Mexico podiatric medical association serving as an ex-officio member and two members who shall be podiatric physicians licensed to practice in New Mexico who have been actively engaged in the practice of podiatry for at least three consecutive years immediately prior to their appointments.

B. Members of the committee shall be appointed by the board from a list of names submitted to the board by the New Mexico podiatric medical association or its authorized governing body or council. The list shall be submitted to the board within thirty days of a vacancy and shall contain at least three qualified podiatric physicians for each member appointed. Member vacancies shall be filled in the same manner. Committee members shall serve until their successors have been appointed and qualified.

C. The Committee shall hold meetings in a frequency necessary to conduct business and shall meet at the request of the board. Meetings of the committee shall be subject to the Open Meetings Acts.

D. The board, with the advice of the committee, shall administer and enforce the provisions of the podiatry act.
[16.10.23.12 NMAC -Rp, 16.21.1.12 NMAC 12/9/2025]

16.10.23.13 ADVERTISING GUIDELINES:

A. All advertisements shall include the podiatrist's name or medical group name, address and telephone number consistent with the Health Care Advertising Act, Section 57-27-1 NMSA 1978.

B. Specialty practice: A podiatrist may only advertise a specialty practice if they qualify under one of the following provisions:

(1) the licensee is board certified or board eligible by a recognized certifying board; if an abbreviation of the certifying board is used then the name of the certifying board must be included in the advertisement;

(2) the licensee is a fellow or an associate of a specialty organization which admits fellows and associates on the basis of an examination; if an abbreviation of the certifying board is used then the name of the certifying board must be included in the advertisement.
[16.10.23.13 NMAC - Rp, 16.21.1.14 NMAC 12/9/2025]

16.10.23.15 [RESERVED]
16.10.23.16 [RESERVED]

HISTORY of 16.21.1 NMAC:
Pre-NMAC History:
The material in this part was derived from that previously filed with the commission of public records - state records center and archives:
Rule I, Conduct of Board Business, filed 7/21/1980;
Rule IX, Scope of Practice, filed 7/21/1980;
Rule XI, Advertising by Licensees, filed 7/21/1980;
Rule XII, Inspection of Board Records, filed 11/29/1990;

Rule XIV, Severability, filed 11/29/1990.

History of Repealed Material: Rule I, Conduct of Board Business (filed 7/21/1980); Rule IX, Scope of Practice (filed 7/21/1980); Rule XI, Advertising by Licensees (filed 7/21/1980); Rule XII, Inspection of Board Records (filed 11/29/1990); and Rule XIV, Severability, (filed 11/29/1990), repealed 10/15/2004.
16.21.1 NMAC, Podiatrists - General Provisions filed 9/15/2004, Repealed effective 12/9/2025.

Other History:
Rule I, Conduct of Board Business (filed 7/21/1980); Rule IX, Scope of Practice (filed 7/21/1980); Rule XI, Advertising by Licensees (filed 7/21/1980); Rule XII, Inspection of Board Records (filed 11/29/1990); and Rule XIV, Severability, (filed 11/29/1990) all replaced by 16.21.1 NMAC, effective 10/15/2004.
16.21.1 NMAC, Podiatrists - General Provisions filed 9/15/2004 was replaced by 16.21.1 NMAC, Medicine and Surgery Practitioners - General Provisions effective 12/9/2025.