TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 10 MEDICINE AND SURGERY PRACTITIONERS
PART 4 CONTINUING MEDICAL EDUCATION

16.10.4.1 ISSUING AGENCY: New Mexico Medical Board, hereafter called the board.
[16.10.4.1 NMAC - Rp 16 NMAC 10.4.1, 4/18/2002; A, 9/27/2007]

16.10.4.2 SCOPE: This part applies to physicians licensed by the board.
[16.10.4.2 NMAC - Rp 16 NMAC 10.4.2, 4/18/2002]

16.10.4.3 STATUTORY AUTHORITY: This part governs the practice of medicine in New Mexico and is promulgated pursuant to and in accordance with the Medical Practice Act, Section 61-6-21 NMSA 1978.
[16.10.4.3 NMAC - Rp 16 NMAC 10.4.3, 4/18/2002]

16.10.4.4 DURATION: Permanent
[16.10.4.4 NMAC - Rp 16 NMAC 10.4.4, 4/18/2002]

16.10.4.5 EFFECTIVE DATE: April 18, 2002, unless a later date is cited at the end of a section.
[16.10.4.5 NMAC - Rp 16 NMAC 10.4.5, 4/18/2002]

16.10.4.6 OBJECTIVE: This part establishes continuing education requirements for license renewal.
[16.10.4.6 NMAC - Rp 16 NMAC 10.4.6, 4/18/2002]

16.10.4.7 DEFINITIONS:

A. **"AACOM"** means American association of colleges of osteopathic medicine.
B. **"AAFP"** means American academy of family physicians.
C. **"AAPS"** means American association of physician specialists.
D. **"ACCME"** means accreditation council for continuing medical education.
E. **"AMA"** means the American medical association.
F. **"AOA"** means American osteopathic association.
G. **"CCME"** means council on continuing medical education of the AOA.
H. **"CME"** means continuing medical education.
I. **"ABMS"** means American board of medical specialties.

[16.10.4.7 NMAC - N, 4/18/2002; A, 9/27/07; A, 02/08/2022]

16.10.4.8 HOURS REQUIRED:

A. Seventy-five hours of continuing medical education are required for all medical licenses during each triennial renewal cycle. CME may be earned at any time during the licensing period, July 1 through June 30 immediately preceding the triennial renewal date.

B. One hour of required CME must be earned by reviewing the New Mexico Medical Practice Act and these board rules. Physicians must certify that they have completed this review at the time they submit their triennial renewal application.

C. Continuing medical education is not required for federal emergency, telemedicine, postgraduate training, public service, temporary teaching or youth camp or school licenses.

D. The five hours of CME in pain management continuing education set forth in Subsections A and B of 16.10.14.11 NMAC may apply toward the 75 hours required in Subsection A of this section and may be included as part of the required CME hours in pain management in either the triennial cycle in which these hours are completed, or the triennial cycle immediately thereafter. Each subsequent triennial renewal cycle shall include five hours of CME hours in pain management.

[16.10.4.8 NMAC - Rp 16 NMAC 10.4.8, 4/18/2002; A, 4/3/2005; A, 9/27/2007; A, 2/14/2013]

16.10.4.9 CREDIT HOURS: The board accepts one credit hour for every clock hour of participation in a CME activity.
[16.10.4.9 NMAC - N, 4/18/2002]

16.10.4.10 ACCEPTABLE AS CME: The board will accept any of the following as fulfillment of CME requirements:

A. the physician's recognition award of the AMA PRA Category 1 Credit™;

B. certificate of CME issued by any board or sub-board of the ABMS, or

C. certification or re-certification by an ABMS approved specialty board during the renewal period;

D. active membership in the AOA;

E. certification or recertification by an osteopathic specialty board during the triennial cycle;

F. passage of the COMVEX or SPEX during the triennial cycle.

[16.10.4.10 NMAC - N, 4/18/2002; A, 9/27/2007; A, 02/08/2022]

16.10.4.11 ALLOWED COURSES AND PROVIDERS: The following courses and activities are acceptable for CME credit:

A. AMA PRA Category 1 Credit™ Clinical courses, lectures or grand rounds certified by an accredited sponsor of the AMA physician's recognition award, **AMA PRA Category 1 Credit™** are acceptable for credit whether taken in an on-site format or taken using the internet.

B. AOA. Clinical courses approved for CCME, AOA, AMA, ACCME, AAFP, AACOM, or AAPS category 1-A, 1-B are approved.

C. NEW MEXICO SPECIFIC CME. Activities certified by the New Mexico medical society (NMMS) continuing medical education committee are acceptable for credit. Up to 40 credits in any three-year reporting period are allowed for participation in activities certified as New Mexico specific CME by the NMMS continuing education committee. New Mexico specific CME are issued by the NMMS for service on the New Mexico medical review commission and on the impaired physician committee.

D. POST GRADUATE EDUCATION. A maximum of 75 credit hours in any three-year reporting period are allowed for participation in a postgraduate education program, which has been approved by the board or by the AMA liaison committee on graduate medical education, CCME, ACGME and AACOM. This category includes internships, residencies and fellowships.

E. ADVANCED DEGREES. 40 credit hours are allowed for each full academic year of study toward an advanced degree in a medical field or a medically related field as approved by the board.

F. TEACHING. One credit hour is allowed for each hour of teaching medical students or physicians in a United States medical school, an approved internship or residency or for teaching in other programs approved by the board for a maximum of 40 credit hours in any three-year reporting period.

G. PHYSICIAN PRECEPTORS. A maximum of 30 hours of credit during a three year reporting period is acceptable for licensed physicians who are acting as preceptors for students enrolled in an accredited medical or physician assistant school or as preceptors for students enrolled in a combined bachelor of arts and medical degree program.

H. PAPERS AND PUBLICATIONS. 10 hours of credit are allowed for each original scientific medical paper or publication written by a licensee. For acceptance, papers must have been presented to a recognized national, international, regional or state society or organization whose membership is primarily physicians; or must have been published in a recognized medical or medically related scientific journal. Material used in a paper or publication may be given credit one time. A maximum of 30 hours credit may be claimed during each three-year reporting period.

I. ADVANCED LIFE SUPPORT. Credit may be claimed during each three-year reporting period for successful completion of ACLS (advanced cardiac life support), PALS (pediatric advanced life support), ATLS (advanced trauma life support), NALS (neonatal advanced life support), and ALSO (advanced life support in obstetrics) courses.

J. EXPERT REVIEW. Credit may be claimed by physicians who provide expert services by reviewing investigation cases for the board. A maximum of ten (10) credit hours in any three-year reporting period are allowed for providing expert review.

[16.10.4.11 NMAC - Rp 16 NMAC 10.4.8, 4/18/2002; A, 4/3/2005; A, 9/27/2007; A, 1/2/2008; A, 7/1/2010; A, 9/22/2011; A, 02/08/2022]

16.10.4.12 [RESERVED]

[16.10.4.12 NMAC - N, 4/18/2002; Repealed, 9/27/2007]

16.10.4.13 VERIFICATION OF CME:

A. Each physician renewing a license shall attest that they have obtained the required hours of CME. The board shall select renewal applications for audit to verify completion of acceptable CME. The board may audit CME records at any time. CME records must be maintained by the licensee for one year following the renewal cycle in which they are earned.

B. The board, or a designee of the board, may offer any physician who is unable to provide required documentation upon request a settlement in lieu of initiating disciplinary action. Settlements may include a letter of reprimand and a $500 fine, reportable to the healthcare integrity and protection data bank.

C. Any physician who fails to respond to a CME audit shall be considered in violation of Section 61-6-15.D(23) of the Medical Practice Act, failure to provide the board with information requested by the board. Potential sanctions include fines, letters of reprimand, or license suspension or revocation.

[16.10.4.13 NMAC - N, 4/18/2002; A, 9/27/2007]

16.10.4.14 ACCEPTABLE DOCUMENTATION OF CME INCLUDES:

A. Photocopies of original certificates or official letters from course sponsors or online providers.

B. Postgraduate CME hours must be documented and attested either by the dean of the medical school, the chief of service, the course director, or an equivalent authority.

C. Advanced degree studies must be documented and attested either by the dean of the medical school, the chief of service, the course director, or an equivalent authority.

D. Teaching hours must be documented and attested either by the dean of the medical school, the chief of service, the course director, or an equivalent authority.

E. Preceptor hours must be documented and attested either by the dean of the medical school, the chief of service, the course director, or an equivalent authority.

F. Papers or publications must be documented with a copy.

[16.10.4.14 NMAC - N, 4/18/2002]

16.10.4.15 EMERGENCY DEFERRAL: A physician unable to fulfill the CME requirements prior to the date of license expiration may apply to the board for an emergency deferral of the requirements by submitting a request in writing no later than July 1 of the renewal year. A designee of the board may grant a deferral of up to 90 days.

A. In case of illness or other documented circumstances, the board may grant an additional extension of time in which the necessary credits may be earned. The request must be made in writing prior to the end of the emergency deferral, and must be approved by the board.

B. A licensee practicing or residing outside the United States shall not be required to fulfill the CME requirements for the period of the absence. The board must be notified prior to license expiration that the licensee will be outside the US, including the period of the absence. Upon return to the US, the licensee shall complete the CME required for the years of practice within the US during the renewal cycle, or apply for an emergency deferral.

[16.10.4.15 NMAC - N, 4/18/2002; A, 9/27/07]

HISTORY OF 16.10.4 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with State Records and Archives under:

NMBME Rule 79-13, Continuing Medical Education, filed 9/19/1979
NMBME Rule 79-13, Continuing Medical Education, filed 10/4/1979
BME Rule 5, Continuing Medical Education, filed 12/19/1989
Rule 5, Continuing Medical Education, filed 5/5/1992
Rule 5, Continuing Medical Education, filed 6/1/1995

History of Repealed Material:

16 NMAC 10.4 Continuing Medical Education - Repealed 4/18/2002.