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Proposed Legislation

West's New Mexico Statutes Annotated
Chapter 61. Professional and Occupational Licenses (Refs & Annos)
Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-1

§ 61-12F-1. Short title

Effective: July 1, 2011

Currentness

Sections 4 through 14 of this act may be cited as the “Naprapathic Practice Act”.

Credits

Added by L. 2011, Ch. 31, § 4, eff. July 1, 2011.

NMSA 1978, § 61-12F-1, NM ST § 61-12F-1

Current through effective July 1, 2023 of the 2023 First Regular Session of the 56th Legislature (2023). The First Regular Session convened January 12, 2023 and adjourned March 18, 2023. The General Effective date is June 16, 2023.

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Chapter 61. Professional and Occupational Licenses (Refs & Annos)

Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-2

§ 61-12F-2. Definitions

Effective: July 1, 2011

Currentness

As used in the Naprapathic Practice Act:

A. “board” means the New Mexico medical board; and

B. “licensee” means a person licensed by the board to practice naprapathy.

Credits

Added by L. 2011, Ch. 31, § 5, eff. July 1, 2011.

NMSA 1978, § 61-12F-2, NM ST § 61-12F-2

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Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-3

§ 61-12F-3. Naprapathic task force created

Effective: July 1, 2011

Currentness

A. The “naprapathic task force” is created under the direction of the board. 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.

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.

C. The naprapathic task force shall develop guidelines for the board to consider in regard to:

(1) regulating the licensure of naprapaths and the practice of naprapathy and establishing minimum qualifications and hours of clinical experience required for licensure as a naprapath;

(2) prescribing the manner in which records of examinations and treatments shall be kept and maintained;

- (3) providing standards for professional responsibility and conduct;
- (4) identifying disciplinary actions and circumstances that require disciplinary action;
- (5) developing a means to provide information to all licensees in the state;
- (6) providing for the investigation of complaints against licensees or persons holding themselves out as practicing naprapathy in the state;
- (7) providing for the publishing of information for the public about licensees and the practice of naprapathy in the state;
- (8) providing for an orderly process for reinstatement of a license;
- (9) establishing criteria for acceptance of naprapathy credentials or licensure from another jurisdiction;
- (10) providing criteria for advertising or promotional materials; and
- (11) any other matter necessary to implement the Naprapathic Practice Act.

Credits

Added by L. 2011, Ch. 31, § 6, eff. July 1, 2011.

NMSA 1978, § 61-12F-3, NM ST § 61-12F-3

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Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-4

§ 61-12F-4. Practice of naprapathy; description

Effective: July 1, 2011

Currentness

A. Naprapathic practice includes the diagnosis and treatment of persons with connective tissue disorders through the use of special techniques, review of case history, examination and palpation or treatment of a person by the use of connective tissue manipulation, exercise, postural counseling, nutritional counseling and the application or use of heat, cold, light, water, radiant energy, electricity, sound and air and assistive devices for the purpose of preventing, correcting or alleviating a physical disability. Naprapathic practice does not include surgery, acupuncture, Chinese herbal medicine, pharmacology or invasive diagnostic testing.

B. A naprapath treats contractures, muscle spasms, inflammations, scar tissue formation, adhesions, lesions, laxity, hypotonicity, rigidity, structural imbalances, bruises, contusions, muscular atrophy and partial separation of connective tissue fibers.

C. Naprapathic practice may require the:

(1) performance of specialized tests and measurements;

(2) administration of specialized treatment procedures; and

(3) establishment and modification of naprapathic treatment programs.

D. A naprapath may advise, supervise or teach another in the performance of naprapathy.

E. A naprapath shall refer to a licensed physician any patient whose medical condition should, at the time of evaluation or treatment, be determined to be beyond the scope of practice of the naprapath.

Credits

Added by L. 2011, Ch. 31, § 7, eff. July 1, 2011.

NMSA 1978, § 61-12F-4, NM ST § 61-12F-4

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Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-5

§ 61-12F-5. License required; exceptions; registration

Effective: July 1, 2011

Currentness

- A. A person shall not practice naprapathy in the state without a valid license issued by the board.
- B. A person who is a naprapath practitioner employed by a federal government facility or agency in New Mexico is not required to be licensed pursuant to the Naprapathic Practice Act.
- C. A person who is enrolled in a program approved by the board to provide training for naprapaths or a person receiving continuing educational training to practice naprapathy is not required to be licensed or registered with the board.
- D. A person teaching, advising or supervising students of naprapathy or teaching continuing education for naprapaths shall not practice naprapathy in New Mexico without a license by the board unless:

(1) that person is in the state for less than one month;

(2) that person is registered with the board as a teacher, advisor or supervisor; and

(3) the practice occurs in the course of that person's duties as a teacher, advisor or supervisor.

E. Nothing in the Naprapathic Practice Act shall be construed to prevent a person qualified as a member of a recognized profession, the practice of which requires a license or is regulated pursuant to the laws of New Mexico, from rendering services within the scope of the person's license or a state rule adopted to regulate the profession; provided that the person does not make a representation as being a naprapath.

Credits

Added by L. 2011, Ch. 31, § 8, eff. July 1, 2011.

NMSA 1978, § 61-12F-5, NM ST § 61-12F-5

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Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-6

§ 61-12F-6. Requirements for licensing

Effective: July 1, 2011

Currentness

A. The board shall grant a license to practice naprapathy to a person who:

(1) is at least twenty-one years of age;

(2) has submitted to the board:

(a) a completed application for licensing on a form provided by the board;

(b) required documentation as required by the board; and

(c) the required fees;

(3) has graduated from a two-year college-level program or an equivalent program approved

by the board;

(4) has completed, in not less than three years, a four-year academic curriculum in naprapathy that is approved by the board, 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;

(5) has passed the national board of naprapathic examiners examination or holds a valid license as a naprapath in another jurisdiction; and

(6) has met all other requirements of the board.

B. The board may require a personal interview with an applicant to evaluate that person's qualifications for a license.

Credits

Added by L. 2011, Ch. 31, § 9, eff. July 1, 2011.

NMSA 1978, § 61-12F-6, NM ST § 61-12F-6

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Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-7

§ 61-12F-7. Designation as naprapath; display of license

Effective: July 1, 2011

Currentness

A. A licensee is designated a “naprapath” and may use that title in connection with the practice of the profession of naprapathy.

B. A licensee may use the title “doctor of naprapathy” or the letters “D.N.” following the licensee’s name to indicate the licensee’s professional status.

C. A licensee shall display the licensee’s license and diplomas in the licensee’s place of business in a location clearly visible to the licensee’s patients.

Credits

Added by L. 2011, Ch. 31, § 10, eff. July 1, 2011.

NMSA 1978, § 61-12F-7, NM ST § 61-12F-7

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§ 61-12F-7. Designation as naprapath; display of license, NM ST § 61-12F-7

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Chapter 61. Professional and Occupational Licenses (Refs & Annos)

Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-8

§ 61-12F-8. License renewal

Effective: July 1, 2020

Currentness

A. The board shall review licenses for renewal annually, and all licenses to be renewed shall be renewed on July 1. Applicants for license renewal shall submit:

(1) a renewal application on a form provided by the board; and

(2) except as provided in Section 61-1-34 NMSA 1978, a license renewal fee.

B. The board may require proof of continuing education or other proof of competence as a requirement for renewal.

Credits

Added by L. 2011, Ch. 31, § 11, eff. July 1, 2011. Amended by L. 2020, Ch. 6, § 34, eff. July 1, 2020.

NMSA 1978, § 61-12F-8, NM ST § 61-12F-8

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N. M. S. A. 1978, § 61-12F-9

§ 61-12F-9. License fees

Effective: July 1, 2020

Currentness

Except as provided in Section 61-1-34 NMSA 1978, the board shall establish a schedule of reasonable administrative and licensing fees, but an individual fee shall not exceed one thousand dollars (\$1,000).

Credits

Added by L. 2011, Ch. 31, § 12, eff. July 1, 2011. Amended by L. 2020, Ch. 6, § 35, eff. July 1, 2020.

NMSA 1978, § 61-12F-9, NM ST § 61-12F-9

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Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-10

§ 61-12F-10. Offenses; criminal penalties

Effective: July 1, 2011

Currentness

A person who practices naprapathy without a license is guilty of a misdemeanor and shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978.

Credits

Added by L. 2011, Ch. 31, § 13, eff. July 1, 2011.

NMSA 1978, § 61-12F-10, NM ST § 61-12F-10

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Article 12f. Naprapathic Practice Act

N. M. S. A. 1978, § 61-12F-11

§ 61-12F-11. Violation; civil penalties

Effective: July 1, 2011

Currentness

The board may fine any person who intentionally violates the provisions of the Naprapathic Practice Act up to one thousand dollars (\$1,000) or may suspend or revoke the licensee's authority to practice naprapathy in New Mexico.

Credits

Added by L. 2011, Ch. 31, § 14, eff. July 1, 2011.

NMSA 1978, § 61-12F-11, NM ST § 61-12F-11

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