

This amendment is to 16.10.5 NMAC, Section 10 effective 1/31/2023.

16.10.5.10 SUSPENSION OF LICENSE:

A. Action prior to suspension: Except as provided in the Impaired Health Care Provider Act, or in a disciplinary order entered after a hearing, or pursuant to Subsection C of 16.10.5.15 NMAC below, prior to suspending any license, the board shall give the licensee written notice and an opportunity to request a hearing pursuant to the Uniform Licensing Act.

B. Terms of suspension: The board may suspend a license for ~~either~~ a specified period of time ~~[or indefinitely]~~. A licensee whose license is suspended may not practice in any manner under that license during the period of suspension.

C. Reinstatement: Unless otherwise established by the board:

(1) If the board has suspended a license indefinitely, the licensee must apply to the board for reinstatement. If reinstatement is initially denied, the licensee may apply for reinstatement on a yearly basis thereafter.

(2) If the board sets a date after which a license may be reinstated, the board will consider an application for reinstatement only after that date. The licensee may apply for reinstatement on a yearly basis thereafter.

(3) A licensee whose license has been suspended pursuant to the Impaired Health Care Provider Act may apply for reinstatement pursuant to 61-7-9 NMSA, 1978, if the licensee can meet the statutory requirements. If the reinstatement is denied, the licensee may apply for reinstatement on a yearly basis thereafter. [16.10.5.10 NMAC - Rp 16 NMAC 10.5.11, 4/18/2002; A, 1/1/2009; A, 2/8/2022; A, 1/31/2023]