

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the New Mexico Higher Education Department (NMHED or Department) will hold a public video/telephonic rulemaking hearing on July 31, 2023. The hearing will begin at 9:00 a.m. and will be held via Microsoft Teams. The purpose of the hearing is to take public comment regarding proposed amendments to **5.7.3 NMAC, NEW MEXICO HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM (HPLRP)**. The proposed amendments to 5.7.3 NMAC would be included in a repeal and replacement of the rule. The Commission of Public Records requests the repeal and replacement to conform to updated formatting requirements.

Join via Microsoft Teams:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_N2QyYjAyOTQtOTg5YS00NGZkLWE5ZTMtMmUyMDVjZDgzMTJm%40thread.v2/0?content=%7b%22id%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22oid%22%3a%22c327f958-5970-4536-8f6b-03d48b60d29e%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_N2QyYjAyOTQtOTg5YS00NGZkLWE5ZTMtMmUyMDVjZDgzMTJm%40thread.v2/0?content=%7b%22id%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22oid%22%3a%22c327f958-5970-4536-8f6b-03d48b60d29e%22%7d)

Or call in (audio only)

+1 (505) 312-4308

Phone Conference ID: 300 665 606#

**Purpose:**

The purpose of the proposed amendment is to remove language that limited physician eligibility to primary care physicians. The change expands eligibility to all physicians and is in alignment with criteria established in H.B.209, 56th Leg., 1st Sess. (N.M. 2023). In addition, the amendment extends the service obligation for loan repayment from two years to three years to be in alignment with the obligation term established by H.B.209, 56th Leg., 1st Sess. (N.M. 2023). In the definition for “Eligible participant” the term “pediatrists” is corrected to “podiatrists”. Language is changed to clarify the authority of the committee to approve specialties. A definition for “Commission” is added to clarify references throughout the rule and definitions are reordered.

**Summary of proposed rule:**

Amendments to Sections 5.7.3.6 NMAC, 5.7.3.9 NMAC, 5.7.3.11 NMAC and 5.7.12 NMAC change the service obligation term from two to three years. The amendment to Section 5.7.3.7 NMAC updates the “Eligible participant” definition to include all physicians rather than only primary care physicians. Language is changed to clarify the authority of the committee to approve specialties. In the definition of “Eligible participant” the term “pediatrists” is corrected to “podiatrists”. The defined term “Primary care physician” is changed to “Physician” to align with the expansion of eligible participants. The amendment to the definition for “Physician” clarifies the authority of the committee to approve specialties. A definition for “Commission” is added to clarify references throughout the rule. The definition of department is moved to the correct location alphabetically and subsequent definitions are renumbered.

**Details for Obtaining a Copy, Public Hearing and Comments:** The proposed rule is also posted on the NMHED website and may be accessed at <http://www.hed.nm.gov> under the “Events” section. To request that a copy of the proposed rule be sent to you by mail or e-mail, please contact [HigherEd.Info@hed.nm.gov](mailto:HigherEd.Info@hed.nm.gov) or (505)476-8411.

A public hearing will be held on July 31, 2023 from 9:00 a.m. until 9:30 a.m. via Microsoft Teams. Any person who is or may be affected by this proposed rule may participate. **Interested persons may submit written comments to NMHED at 2044 Galisteo Street, Suite 4, Santa Fe, NM 87505 or [HigherEd.Info@hed.nm.gov](mailto:HigherEd.Info@hed.nm.gov). Written comments must be received no later than 4:00 p.m. on July 28, 2023.** Please note that any written or verbal comments received will become part of the rulemaking record, be posted to the New Mexico Sunshine Portal, and be accessible to the public. If submitting written comments by email, please indicate in the subject line the number and section of each rule(s) for which you are providing comments. Oral comments will also be accepted at the rule hearing, subject to time limitations.

Legal authority for this rulemaking can be found in Sections 21-1-26 and 21-22D NMSA 1978.

Any person with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or auxiliary aid or service to attend or participate in the hearing should contact (505) 476-8411 or email [HigherEd.Info@hed.nm.gov](mailto:HigherEd.Info@hed.nm.gov) ten (10) business days prior to the hearing.