

**NOTICE OF PUBLIC RULE HEARING**

**Public Notice.** The New Mexico Medical Board (NMMB) gives notice that it will conduct a public rule hearing on February 2, 2024 at 9:00 AM (MDT). This rule hearing is in person and can be accessed virtually. The purpose of the public hearing is to receive public input on the proposed amendments to 16.10.2 NMAC - Physicians: Physicians Licensure Requirements; and the transfer of 16.21.1 NMAC through 16.21.12 NMAC - Podiatric Physician Rules, from Regulation and Licensing Department to the New Mexico Medical Board. Physical Hearing Location is 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505.

Join Zoom Meeting

<https://us02web.zoom.us/j/83140102469?pwd=M1diTzRtZmNiNUkxR1ltNzBkNG1SQTO9>

Meeting ID: 831 4010 2469

Passcode: 947330

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**Purpose.** During the 2023 Legislative Session HB384 passed and was signed by Governor Lujan Grisham on April 3, 2023. HB384 enacted new sections and revisions to the Medical Practice Act to provide for an expedited one-year provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the Board. Additionally, HB384 authorizes the Board to determine those states and territories of the United States and the District of Columbia from which it will not accept an applicant for expedited licensure and shall determine any foreign countries from which it will accept an applicant for expedited licensure.

Additionally, during the 2023 Legislative Session HB83 passed and was signed by Governor Lujan Grisham on April 5, 2023. HB83 transferred the Podiatry Board from Regulation and Licensing Department to the New Mexico Medical Board.

The revisions and additions to the Medical Practice Act and the Uniform Licensing Act requires promulgation of rules to implement the provisions set forth in HB384 and HB83.

**The statutory authorization.** Medical Practice Act Sections 61-6-1 through 61-6-35 NMSA 1978.

**No technical information serves as a basis for this proposed rule change.**

**Public comment.** Interested parties may provide comment on the proposed amendments of this state rule at the public hearing or may submit written comments to Amanda Quintana, New Mexico Medical Board, 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505, or by electronic mail to [AmandaL.Quintana@state.nm.us](mailto:AmandaL.Quintana@state.nm.us). All written comments must be received no later than 3:00 p.m. (MDT) on January 31, 2024. All written comments will be posted to the agency website within (3) three business days.

**Copies of proposed rule.** Copies of the proposed rules may be accessed through the New Mexico Medical Board's website at [www.nmmb.state.nm.us](http://www.nmmb.state.nm.us) or may be obtained from the Board office by calling (505) 476-7220 or via email at [AmandaL.Quintana@state.nm.us](mailto:AmandaL.Quintana@state.nm.us).

Individuals with disabilities who require the above information in an alternative format, or who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Amanda Quintana at (505) 476-7230 or via email at [AmandaL.Quintana@state.nm.us](mailto:AmandaL.Quintana@state.nm.us). The New Mexico Medical Board requires at least ten (10) calendar days advance notice to provide any special accommodations requested.

**Summary of proposed changes.** The Board summarizes its proposed changes to its administrative rules as follows:

#### 16.10.2 NMAC - Physicians: Licensure Requirements

As a general summary, the proposed changes to 16.10.2 NMAC are to:

- Define a Complete Application;
- Define License Renewal;
- Change the definition of a "Military Service Member";
- Add expedited license to Categories of Active Licenses;
- Change "Medical License by Endorsement" to "Expedited Licensure";
- Remove the application requirement to receive proof of citizenship;
- Add the meaning of "continuous practice";
- Add the provision that the Board has discretion to require that an applicant for an expedited license take a competency examination;
- Add the procedure for an "incomplete" application;
- Under Criminal Arrests and Convictions include that the Board shall not exclude an otherwise qualified applicant on the sole basis that the person has been previously arrested or convicted of a crime unless the person has a disqualifying criminal conviction;

#### 16.21.1 NMAC through 16.21.12 – Podiatric Licensure Rules

As a general summary, the entirety of the podiatric licensure rules will be transferred to the New Mexico Medical Board for regulation of podiatric physicians in New Mexico. Other changes to the rules include changing the title of podiatrist to podiatric physician; create a podiatry advisory committee; change reciprocity requirements and change licensure renewal periods from one year to two years.