

This is an amendment to 16.12.1 NMAC, Sections 7, 8, 10 and 12 effective 5/21/2024.

16.12.1.7 DEFINITIONS:

A. Definitions beginning with the letter A:

(1) **“actually engaged in nursing”**, employed, engaged, or holding a position which requires licensure or in which the maintenance of licensure as a nurse is expected;

(2) **“administration of medications”**, a process whereby a prescribed drug or biological agent is given to a patient/client by a person licensed or certified by the board to administer medications;

(3) **“advanced practice registered nurse” (APRN)**, a graduate level prepared registered nurse who has completed a program of study in a specialty area in an accredited nursing program, taken a certification examination in the same area, and been granted a license to practice as an advanced practice nurse with an expanded scope of practice; individuals are authorized to practice in the roles of certified nurse practitioner (CNP), certified registered nurse anesthetist (CRNA) and clinical nurse specialist (CNS);

(4) **“affidavit”**, a sworn written statement made to affirm a statement of fact;

(5) **“anesthetics”**, means a drug induced loss of consciousness, otherwise known as general anesthesia, during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory support is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug induced depression of neuromuscular function. Cardiovascular function may be impaired. General anesthesia is used for those procedures when loss of consciousness is required for the safe and effective delivery of surgical services.

(6) **“approval”**, the review and acceptance of a specific activity;

(7) **“approval agency”**, agency, institution or organization with the authorization to award CE credit;

(8) **“approved equivalent”**, a program reviewed and accepted by the board of nursing as meeting necessary regulatory/statutory requirements;

(9) **“assessment”**, the review and interpretation by a licensed individual of specific data necessary to determine the patient/client’s care and treatment needs; (also see data collection);

(10) **“assignment of nursing activity”**, assignment of nursing activity involves appointing or designating another licensed nurse or assistive personnel that is consistent with his/her scope of practice (licensed person) or role description (unlicensed person);

(11) **“audit”**, an examination and verification of CE and practice documents.

B. Definitions beginning with the letter B:

(1) **“basic nursing education”**, the scholastic route to initial licensure;

(2) **“board”** means the New Mexico board of nursing.

C. Definitions beginning with the letter C:

(1) **“certificate”** means a legal document granting permission to an unlicensed person to perform specific functions considered the practice of nursing;

(2) **“certification re-activation”**, the process of reactivating a lapsed national advanced practice registered nurse certification program in the specialty area;

(3) **“CEU”** is the abbreviation for continuing education unit;

(4) **“CHT”** is the abbreviation for certified hemodialysis technician;

(5) **“CMA”** is the abbreviation for certified medication aide;

(6) **“client”** means any person domiciled, residing, or receiving care, service or treatment from a licensed nurse, licensed lactation care provider, or certified unlicensed assistive person. This includes but is not limited to patients, residents, or consumers;

(7) **“collaboration”**, practice in conjunction with another health professional;

(8) **“competency”**, competency in nursing is the ability to perform skillfully and proficiently the role of the licensee; the role encompasses essential knowledge, judgment, attitudes, values, skills and abilities, which are varied in range and complexity; competency is a dynamic concept and is based on educational training, preparation, and expertise;

(9) **“consultation”**, to communicate regularly to set goals and objectives and to review and document outcomes;

_____ (10) — “**contact hour**” means the unit of measurement describing an approved and organized learning experience equivalent to 60 clock minutes;

_____ (11) — “**continuing education**” means planned learning experiences beyond a basic nursing education program. These experiences are designed to promote the development of knowledge, skills and attitudes for the enhancement of nursing practice, thus improving health care to the public;

_____ (12) — “**continuing education unit**” means 10 contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction;

_____ (13) — “**coordinated licensure information system**” means an integrated process for collecting, storing and sharing information on nurse licensure and enforcement activities related to nurse licensure laws that is administered by a nonprofit organization composed of and controlled by licensing boards.

_____ **D. Definitions beginning with the letter D:**

_____ (1) — “**data collection**”, the process of obtaining information, material, fact or clinical observations which will be used in the assessment process; data collection is not limited to licensed individuals;

_____ (2) — “**delegation**”, the transferring to a competent individual the authority to perform a selected nursing task in a selected situation. The nurse retains accountability of the delegation;

_____ (3) — “**department of public safety**”, the New Mexico department of public safety or other state’s department of public safety;

_____ (4) — “**direct supervision for graduate permit holders**”, at a minimum, the person responsible for the direct supervision must be in the facility or on the unit with the graduate permit holder observing, directing and evaluating the performance of the permit holder; the supervisor must not be engaged in other activities that would prevent them from providing direct supervision.

_____ **E. Definitions beginning with the letter E:**

_____ (1) — “**educational institution**”, refers to an institution within the educational system which is organized and accredited for teaching and study (university, high school, post secondary, approved area vocational institution);

_____ (2) — “**eligible for graduation**”, individual who has met all the requirements of an educational program;

_____ (3) — “**expedited license**” is a one year provisional license that confers the same rights, privileges and responsibilities as regular licenses issued by the board.

_____ **F. Definitions beginning with the letter F: “final transcript**”, an official record of course work and grades, issued by a school, which indicates date of program completion and certificate or degree awarded.

_____ **G. Definitions beginning with the letter G:**

_____ (1) — “**generally recognized organization**”, an association of nurses with common goals and concerns expressed through structured by laws. Rules and regulations, and whose recognition derives from both the profession and the public;

_____ (2) — “**good standing**” means a license or registration is active and not expired, suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a licensee or registrant under the authority of the license or registration.

_____ **H. Definitions beginning with the letter H: “health care work force data collection**”, an electronic survey, designed to be completed by applicants for licensure or renewal, which includes questions regarding a core essential data set.

_____ **I. Definitions beginning with the letter I:**

_____ (1) — “**inactive list**”, compilation of those licenses that are in good standing but not current;

_____ (2) — “**initial license**”, the process of achieving the legal privilege to practice within a professional category upon the completion of all educational requirements and the successful writing of the national licensing examination;

_____ (3) — “**institution of higher education**”, college or university.

_____ **J. Definitions beginning with the letter J: “jurisdiction**”, the licensure or regulatory authoritative body for nursing within a specific geographic area for which there is endorsement in New Mexico.

_____ **K. Definitions beginning with the letter K: [RESERVED]**

_____ **L. Definitions beginning with the letter L:**

_____ (1) — “**lapsed status**”, a license which was not renewed by the expiration date on the license;

_____ (2) — “**legal guardian**”, a person lawfully invested with the power, and charged with the duty, of taking care of the person and managing the property and rights of another person who is considered incapable of administering his own affairs;

_____ (3) **“letter of authorization”**, a document issued by the board which authorizes an individual to practice nursing in New Mexico under the auspices of an approved preceptorship for an advanced nursing expanded scope of practice prescriptive authority or for an advanced practice nurse from a compact state;

_____ (4) **“license”** means a legal document granting an individual the privilege and authority to engage in practice of an occupation or profession;

_____ (5) **“licensure period”** means the length of time for which a license or certificate is valid. The initial (first) licensure period it is from the date of initial license or certificate issuance to the day the license or certificate expires. For subsequent licensure periods it is the day after the previous licensure period ended to the end next license or certificate expiration date.

_____ **M. Definitions beginning with the letter M:**

_____ (1) **“medical emergency”**, a situation resulting from a disaster in which the number of persons requiring nursing care exceeds the availability of New Mexico registered nurses or licensed practical nurses;

_____ (2) **“monitoring system”**, a mechanism whereby programs may be approved for CE hours within a geographic area;

_____ (3) **“multistate/compact license”** means a license granted through New Mexico’s participation in the nurse licensure compact that grants the licensee the legal authority to practice in all party states of the nurse licensure compact.

_____ (4) **“must”**, a requirement.

_____ **N. Definitions beginning with the letter N:**

_____ (1) **“national licensing examination”**, examination for licensure as provided by the national council of state boards of nursing, inc.;

_____ (2) **“National practitioner data bank”** means the database operated by the U.S. department of health and human services that contains medical malpractice payment and adverse action reports on health care professionals;

_____ (3) **“nationwide criminal history record”**, information concerning a person’s arrests, indictments or other formal criminal charges and any dispositions arising there from, including convictions, dismissals, acquittals, sentencing and correctional supervision, collected by criminal justice agencies and stored in the computerized databases of the federal bureau of investigation, the national law enforcement telecommunications systems, the department of public safety or the repositories of criminal history information of other states;

_____ (4) **“nationwide criminal history screening”**, a criminal history background investigation of an applicant for licensure by examination or endorsement through the use of fingerprints reviewed by the department of public safety and submitted to the federal bureau of investigation, resulting in the generation of a nationwide criminal history record for that applicant.

_____ **O. Definitions beginning with the letter O: [RESERVED]**

_____ **P. Definitions beginning with the letter P:**

_____ (1) **“permit to practice for GCNSs”**, a document conferring the privilege to practice as a graduate clinical nurse specialist, at a specific place of employment, under the direct supervision of a licensed CNS, CNP or physician; such permits will carry set expiration dates, are not renewable and are not transferable;

_____ (2) **“permit to practice for GNs and GPNs”**, a document conferring the privilege to practice nursing at a specific place of employment, under direct supervision of a RN only; such permits will carry set expiration dates, are not renewable or transferable;

_____ (3) **“permit to practice for GNPs”**, a document conferring the privilege to practice as a graduate nurse practitioner, at a specific place of employment, under the direct supervision of a physician or a certified nurse practitioner; direct supervision of a physician, licensed CNP or CNS is required for prescription writing; such permit will carry set expiration dates, are not renewable and are not transferable;

_____ (4) **“permit to practice for GRNAs”**, a document conferring the privilege to administer anesthesia to any person, as a GRNA, at a specific place of employment, functioning in an interdependent role under the direction of and in collaboration with a licensed physician, osteopathic physician, dentist or podiatrist licensed in New Mexico; such permits will carry set expiration dates, and are not renewable or transferable;

_____ (5) **“post-graduate program”**, any specialized knowledge and skills sought after completion of a basic nursing educational program which does not necessarily lead to an advanced degree;

_____ (6) **“preceptor”**, an individual at or above the level of licensure that an assigned student is seeking, who may serve as a teacher, mentor, role model or supervisor in a clinical setting;

_____ (7) **“prescriptive authority”**, the power to determine the need for drugs, immunizing agents or devices; selecting the remedy and writing a prescription;

_____ (8) **“private practice”**, employment status of an individual nurse who is self-employed.

_____ (9) — **“procedural sedation”**, a technique of administering sedatives or dissociative agents with or without analgesics to induce a state that allows the patient to tolerate unpleasant procedures while maintaining cardio respiratory functions.

_____ **Q. Definitions beginning with the letter Q: [RESERVED]**

_____ **R. Definitions beginning with the letter R:**

_____ (1) — **“reactivation”**, the process of making current a license which has been in abeyance as a result of failure to comply with the necessary renewal requirements; this process does not involve board action at any juncture;

_____ (2) — **“recognized national or state institutions/organizations”**, institutions and organizations recognized as providers of CE for nurses;

_____ (3) — **“refresher course”**, a formal program that has both didactic and clinical components designed to prepare a nurse who has been out of practice to re-enter the profession;

_____ (4) — **“reinstatement”**, the process whereby a license which has been subject to revocation or suspension, is returned to its former status by individual board action; this process always involves board action, and requires filing of a form and payment of the reinstatement fee;

_____ (5) — **“ relicensure”**, the process of renewal, reactivation or reinstatement of a New Mexico nursing license.

_____ **S. Definitions beginning with the letter S:**

_____ (1) — **“shall”**, mandatory; a requirement;

_____ (2) — **“should”**, a suggestion or recommendation; not a requirement;

_____ (3) — **“sponsor/provider”**, any person, organization, agency, or institution which organizes, develops, implements, and evaluates a CE activity;

_____ (4) — **“state approved program”**, a basic nursing education program approved or accredited by a state board of nursing or a nationally recognized nursing education accreditation body;

_____ (5) — **“supervision/direction”**, initial verification of a person’s knowledge and skills in the performance of a specific function or activity followed by periodic observation, direction and evaluation of that person’s knowledge and skills as related to the specific functions or activity;

_____ (6) — **“surrogate”**, an individual, other than a patient’s agent or guardian, authorized under the uniform health care decisions act to make a health care decision for the patient.

_____ **T. Definitions beginning with the letter T: “temporary license”**, a non renewable, non-transferable document indicating a legal privilege to practice as a RN, LPN, CNP, CNS or CRNA, on a conditional basis for a specific period of time.

_____ **U. Definitions beginning with the letter U: [RESERVED]**

_____ **V. Definitions beginning with the letter V: “valid practitioner patient relationship”** means a professional relationship between the practitioner and the patient for the purpose of maintaining the patient’s well-being. At minimum, this relationship is an interactive encounter between the practitioner and patient involving an appropriate history and physical or mental examination, ordering labs or diagnostic tests sufficient to make a diagnosis and providing, prescribing or recommending treatment, or referring to other health care providers. A patient record must be generated by the encounter.

_____ **W. Definitions beginning with the letter W: [RESERVED]**

_____ **X. Definitions beginning with the letter X: [RESERVED]**

_____ **Y. Definitions beginning with the letter Y: [RESERVED]**

_____ **Z. Definitions beginning with the letter Z: [RESERVED]**

_____ **A. Definitions beginning with the letter A:**

_____ (1) — **“administration of medications”**, means a process whereby a prescribed drug or biological agent is given to a patient/client by a person licensed or certified by the board to administer medications;

_____ (2) — **“advanced practice registered nurse”**, (APRN), means the practice of professional registered nursing by a registered nurse who has been prepared through additional formal education as provided in Sections 61-3-23.2 through 61-3-23.4 NMSA 1978 to function beyond the scope of practice of professional registered nursing, including certified nurse practitioners, certified registered nurse anesthetists and clinical nurse specialists;

_____ (3) — **“anesthetics”**, means a substance that causes entire or partial loss of the feeling of pain, temperature, or other sensations with or without the loss of consciousness to induce a state of anesthesia. Anesthetics have no reversal agents and may impair ventilatory and cardiovascular function. This definition does not apply to local or topical anesthetics.

_____ **B. Definitions beginning with the letter B: “board”** means the New Mexico board of nursing.

C. Definitions beginning with the letter C:

(1) “certificate”, means a legal document granting permission to an unlicensed person to perform specific functions considered the practice of nursing;

(2) “certificate of completion”, means a piece of paper or diploma awarded after the completion of an educational or vocational training. A certificate of attendance or completion does not convey mastery and is often followed by clinical demonstration to confirm knowledge transfer; the presence of a certificate alone does not mean certification or certified.

(3) “certification”, means approving a professional for their eligibility for a role by an authority; it is evidence of mastery of knowledge and skills, such as national standards, by passing an exam or meeting industry standards; it requires ongoing continuing education and demonstration of competence in the specialty field; a licensee with a certification can be said to be certified.

(4) “CEU”, is the abbreviation for continuing education unit;

(5) “CHT”, is the abbreviation for certified hemodialysis technician;

(6) “CMA”, is the abbreviation for certified medication aide;

(7) “client”, means any person domiciled, residing, or receiving care, service or treatment from a licensed nurse, licensed lactation care provider, or certified unlicensed assistive person. This includes but is not limited to patients, residents, or consumers;

(8) “competency”, competency in nursing is the ability to perform skillfully and proficiently the role of the licensee; the role encompasses essential knowledge, judgment, attitudes, values, skills and abilities, which are varied in range and complexity; competency is a dynamic concept and is based on educational training, preparation, and expertise;

(9) “contact hour”, means the unit of measurement describing an approved and organized learning experience equivalent to 60 clock minutes;

(10) “continuing education”, means planned learning experiences beyond a basic nursing education program. These experiences are designed to promote the development of knowledge, skills and attitudes for the enhancement of nursing practice, thus improving health care to the public;

(11) “continuing education unit”, means 10 contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction;

(12) “coordinated licensure information system”, means an integrated process for collecting, storing and sharing information on nurse licensure and enforcement activities related to nurse licensure laws that is administered by a nonprofit organization composed of and controlled by licensing boards.

D. Definitions beginning with the letter D: “delegation”, means the act of transferring to a competent individual the authority to perform a selected nursing task in a selected situation. The nurse retains accountability of the delegation.

E. Definitions beginning with the letter E:

(1) “educational institution”, means an institution within the educational system which is organized and accredited for teaching and study (university, high school, post-secondary, approved area vocational institution);

(2) “engaged in nursing”, means being employed, engaged, or holding a position which requires licensure or in which the maintenance of licensure as a nurse is expected;

(3) “expedited license”, whether by examination, endorsement, credential or reciprocity, means a license issued to a person in this state based on licensure in another state or territory of the United States, the District of Columbia or a foreign country, as applicable, pursuant to the Uniform Licensing Act and the Nursing Practice Act.

F. Definitions beginning with the letter F: [RESERVED]

G. Definitions beginning with the letter G:

(1) “good standing”, means a license or registration is active and not expired, suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a licensee or registrant under the authority of the license or registration.

(2) “guardian”, means someone other than a patient, including an agent, surrogate or guardian, authorized to make health-care decisions for the patient under the uniform health-care decisions act or other applicable law;

H. Definitions beginning with the letter H: [RESERVED]

I. Definitions beginning with the letter I: “initial license”, means the first regular license received from a board for a person who has not been previously licensed;

J. Definitions beginning with the letter J: “jurisdiction”, the licensure or regulatory authoritative body for nursing within a specific geographic area for which there is endorsement in New Mexico.

K. Definitions beginning with the letter K: [RESERVED]

L. Definitions beginning with the letter L:

(1) **“lapsed status”,** means a license which was not renewed by the expiration date on the license;

(2) **“letter of authorization”,** a document issued by the board which authorizes an individual to practice nursing in New Mexico under the auspices of an approved preceptorship for an advanced nursing expanded scope of practice prescriptive authority or for an advanced practice nurse from a compact state;

(3) **“license”,** means a legal document granting permission to a person to perform specific functions considered the practice of nursing or other activity regulated by the board, which may also include a certificate or other type of authorization.

M. Definitions beginning with the letter M: “monitoring system”, a mechanism whereby programs may be approved for CE hours within a geographic area.

N. Definitions beginning with the letter N:

(1) **“national licensing examination”,** means the examination for licensure as provided by the national council of state boards of nursing, inc.;

(2) **“National practitioner data bank”,** means the database operated by the U.S. department of health and human services that contains medical malpractice payment and adverse action reports on health care professionals;

O. Definitions beginning with the letter O: [RESERVED]

P. Definitions beginning with the letter P:

(1) **“permit-to-practice”,** a document conferring the privilege to practice at a specific place of employment, under the direct supervision of a licensed RN, APRN, physician, osteopathic physician, dentist, or podiatrist; such permits will carry set expiration dates, are not renewable and are not transferable;

(2) **“preceptor”,** an individual at or above the level of licensure that an assigned student is seeking, who may serve as a teacher, mentor, role model or supervisor in a clinical setting;

(3) **“prescriptive authority”,** means the authority under state and federal law to prescribe, administer, monitor or modify dangerous drug therapy.

Q. Definitions beginning with the letter Q: [RESERVED]

R. Definitions beginning with the letter R:

(1) **“reactivation”,** means the process of making active an existing license which has lapsed or is otherwise inactive;

(2) **“refresher course”,** means a formal program that has both didactic and clinical components designed to prepare a nurse who has been out of practice to re-enter the profession;

(3) **“reinstatement”,** means the process whereby a license which has been subject to revocation or suspension, is returned to its former status by board action, which may require filing of a form and payment of a reinstatement fee;

(4) **“ relicensure”,** the process of renewal, reactivation or reinstatement of a New Mexico nursing license.

S. Definitions beginning with the letter S:

(1) **“sedation”,** means the administration of medications to produce various levels of calmness, relaxation, or sleep. The various levels include:

(a) **“Minimum sedation/anoxiolysis,”** means a drug-induced state during which patients respond normally to verbal commands, may have impaired cognitive function or coordination but respiratory and cardiovascular functions remain stable;

(b) **“Moderate sedation/analgesia (also known as conscious sedation),”** means a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained;

(i) **“deep sedation,”** means a drug-induced depression of consciousness, during which a patient cannot be easily aroused but responds purposefully, following repeated or painful stimulation. While cardiovascular function is usually maintained, the ability to independently maintain respiratory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate resulting in intubation and mechanical ventilation. Reflex withdrawal from a painful stimulus is *not* considered a *purposeful* response;

(ii) “general anesthesia,” means a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. General anesthesia affects the patient’s ability to maintain an adequate airway and respiratory function, and may impair cardiovascular function;

(iii) “palliative sedation,” means the monitored use of medications at end of life intended to provide relief of intolerable and refractory symptoms but not to intentionally hasten death. A refractory symptom is one that cannot be controlled in a tolerable time frame despite use of therapies and seems unlikely to be controlled by further therapies without excessive or intolerable acute or chronic side effects/complications.

(2) “successful completion”, means the completion of all required courses with a passing letter grade of “C” or higher, course with pass or fail must have a “pass” for successful completion;

(3) “supervision/direction”, means initial verification of a person’s knowledge and skills in the performance of a specific function or activity followed by periodic observation, direction and evaluation of that person’s knowledge and skills as related to the specific functions or activity.

T. Definitions beginning with the letter T: “temporary license”, a non-renewable, non-transferable document indicating a legal privilege to practice as a RN, LPN, CNP, CNS or CRNA, on a conditional basis for a specific period of time.

U. Definitions beginning with the letter U:

(1) “unencumbered”, means the absence of a revocation or suspension of, or any limitation on, the full and unrestricted practice of nursing imposed by a licensing board;

(2) “unlicensed assistive personnel”, (UAP) means unlicensed support staff that registered nurse may appropriately delegate tasks to, such as a nursing assistant, nurse technician, or medical assistant.

V. Definitions beginning with the letter V: “valid practitioner-patient relationship”, means a professional relationship between the practitioner and the patient for the purpose of maintaining the patient’s well-being. At minimum, this relationship is an interactive encounter between the practitioner and patient involving an appropriate history and physical or mental examination, ordering labs or diagnostic tests sufficient to make a diagnosis and providing, prescribing or recommending treatment, or referring to other health care providers. A patient record must be generated by the encounter.

W. Definitions beginning with the letter W: [RESERVED]

X. Definitions beginning with the letter X: [RESERVED]

Y. Definitions beginning with the letter Y: [RESERVED]

Z. Definitions beginning with the letter Z: [RESERVED]

[16.12.1.7 NMAC - Rp, 16.12.1.7 NMAC, 12/13/2022, A; 5/21/2024]

16.12.1.8 GLOSSARY OF ABBREVIATIONS:

- A. APRN: Advanced practice registered nurse (i.e. CNP, CNS, CRNA);
- B. CE: Continuing education;
- C. CHT: Certified hemodialysis technician;
- D. CMA: Certified medication aide;
- E. CNP: Certified nurse practitioner;
- ~~[D]~~ E. CNS: Clinical nurse specialist;
- ~~[E]~~ G. COA: Council on accreditation of nurse anesthesia educational program;
- ~~[F]~~ H. CRNA: Certified registered nurse anesthetist;
- ~~[G]~~ I. DNP: Doctor of nursing practice;
- ~~[H]~~ J. GCNS: Graduate clinical nurse specialist;
- ~~[I]~~ K. GN: Graduate nurse;
- ~~[J]~~ L. GNP: Graduate nurse practitioner;
- ~~[K]~~ M. GPN: Graduate practical nurse;
- ~~[L]~~ N. GRNA: Graduate registered nurse anesthetist;
- ~~[M]~~ O. LPN: Licensed practical nurse;
- ~~[N]~~ P. MN: Master’s in nursing;
- ~~[O]~~ Q. MSN: Master of science in nursing;
- ~~[P]~~ R. NBCRNA: National board on certification & recertification of nurse anesthetists;
- ~~[Q]~~ S. NCLEX-RN/PN: National council licensing examination - RN/PN;
- ~~[R]~~ T. NCSBN: National council of state boards of nursing;
- ~~[S]~~ U. NLNAC: National league for nursing accrediting commission;
- ~~[T]~~ V. NMSA: New Mexico statutes annotated;

- [~~U~~] ~~W~~. NPA: Nursing Practice Act;
[~~V~~] ~~X~~. RN: Registered nurse;
[~~W~~] ~~Y~~. ULA: Uniform Licensing Act.

[16.12.1.8 NMAC - N, 12/13/2022, A; 5/21/2024]

16.12.1.10 BOARD ADMINISTRATION:

A. Organization:

(1) The board shall annually elect a chair, vice-chair, and secretary. The term of office begins immediately after the conclusion of the meeting at which the election occurred unless a later date is indicated in the election.

(2) All members of the board, including public members, are eligible to serve as an officer of the board.

B. Executive director:

(1) The board shall hire and employ a qualified registered nurse, who shall not be a member of the board, to serve as executive director.

(2) The executive director shall be accountable to the board for the administration and management of the board office and staff, including but not limited to the board's fiscal operations, records, and management of personnel (including hiring, supervising, and [~~firing~~] terminating staff).

(3) The executive director, or designee, shall represent the board to the public.

(4) As provided in the Nursing Practice Act, the board shall not delegate to the executive director the power to grant, deny or withdraw approval for schools of nursing or to revoke, suspend or withhold any license authorized by the Nursing Practice Act.

C. Board meetings:

(1) The board shall meet at least once every three months.

(2) The board shall annually review and adopt an open meetings resolution, consistent with the Open Meetings Act, Sections 10-15-1 to 10-15-4 NMSA 1978.

(3) The board shall approve a schedule of regular meeting dates at a regular meeting prior to the beginning of the next calendar or fiscal year. The board shall publish this schedule in its newsletter and on its website.

(4) Individual board members may attend meetings through telephonic or similar communications equipment when it is difficult or impossible for the [~~person~~] member to be physically present. Whenever attending a meeting in such a manner, board members must fully comply with all requirements set by the Open Meetings Act and the board's annual open meetings resolution.

D. Signatures: A record, order, contract, or other document requiring a signature from an authorized person on behalf of the board may be signed by the chair, vice-chair, or executive director.

[16.12.1.10 NMAC - Rp, 16.12.1.9 NMAC, 12/13/2022, A; 05/07/2004]

16.12.1.12 COMMITTEES:

A. Advisory function: To assist and advise the board in its functions and mission, the board may appoint and utilize, at its discretion, advisory committees consisting of at least one board member and at least two members that are experts in the pertinent field [~~of relevant health care~~] to assist in the performance of the board's duties pursuant to authority under Section 61-3-10 NMSA 1978 of the Nursing Practice Act. Any committee serving the board shall have a purely advisory role and shall not have any policymaking authority of any kind.

B. Membership: Except as otherwise provided in the board's rules, the board has absolute discretion with respect to the number of individuals who may serve on a committee, provided that in no case shall a quorum of the members of the board serve on a committee.

C. Duties and responsibilities: The board shall annually, at an open meeting, review the duties and responsibilities of each committee and subsequently provide each committee with written objectives to satisfy within the following year.

D. Except as otherwise provided in the board's statute or rules membership is conditioned on the following:

(1) Committee members [~~may~~] serve [~~two-year~~] terms that are no more than two-years each.

(2) The board may reappoint [~~currently serving~~] committee members to serve additional terms.

(3) [~~An individual's service~~] Service on a committee is voluntary, and the [~~individual~~] member may resign from the committee at any time upon written notification to the executive director.

(4) Advisory committee members may be reimbursed as provided in the per diem and Mileage Act ~~[provided that mileage may only be paid when there is a total of 60 miles or more traveled]~~ at the approval of the director.

(5) Termination of membership:

(a) Members of committees serve at the pleasure of the board, and the board may remove a member from a committee at any board meeting.

(b) The executive director ~~[shall]~~ may automatically terminate an individual's membership on a committee if the ~~[individual]~~ member fails to attend three consecutive committee meetings.

E. Any committee shall, if ordered by the executive director or the board, meet virtually rather than in person as a means of achieving greater efficiency and productivity.

F. ~~[Specific] Standing committees: [Nursing practice advisory committee. The board may appoint a minimum of a seven member advisory committee to assist the board in regulating the practice of nursing. The committee shall assist and advise the board in the review of issues related to the practice of nursing.]~~ Committees established by rule shall not require reauthorization. Any committee created outside of the rules requires reauthorization of the board each fiscal year.

[16.12.1.12 NMAC - Rp, 16.12.1.11 NMAC, 12/13/2022, A; 05/21/2024]