

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The New Mexico Board of Veterinary Medicine (“NMBVM”) will hold a public rule hearing on November 20, 2024, at 1:00 p.m. to consider any public comment of the proposed rules listed below. A regular board meeting will immediately follow the public rule hearing.

1. Enactment of rules related to disbursements from the Animal Care and Facility Fund;
2. Amendment of existing rules to adjust certain licensing fees (Parts 2, 6, 7 and 8 of Title 16, Chapter 25 NMAC, and Part 4 of Title 16, Chapter 24 NMAC)
3. Amendment of Subsection B of 16.25.9.9 NMAC (“Minimum Standards”) to change requirements related to emergency services.

Public participation is welcomed, and comments may be submitted in writing during the public comment period, or in person during the public rule hearing. The hearing and subsequent board meeting will take place at the Regulation and Licensing Department, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, NM 87505.

Copies of the proposed rule may be obtained through the board website at www.bvm.nm.gov or by contacting the Board Office through the information below:

www.bvm.nm.gov

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(575) 748-2042

deborah.schenk@bvm.nm.gov

Written comments will be accepted during the public comment period, up until 5 pm on November 19, 2024, and may be submitted either by email or by postal mail to the following addresses:

deborah.schenk@bvm.nm.gov

Attn: New Mexico Board of Veterinary Medicine

7301 Jefferson Street NE, Suite H

Albuquerque, NM 87109

Written comments received during the public comment period prior to the public rule hearing will be posted to the board website page linked above. Public comment will also be accepted during the rule hearing and may be submitted in writing or presented orally by those attending. The board will not enter into substantive discussion of public comments during the rule hearing but will consider and deliberate any public comment during the board meeting immediately following the conclusion of the public rule hearing.

The agenda for the board meeting, which will begin immediately after the public rule hearing, will be available no less than 72 hours prior to the meeting, and be available on the NMBVM website linked above or by contacting the NMBVM staff.

An individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing, please contact the Board Chair.

Statutory Authority:

For the proposed rule related to the Animal Care and Facility Fund, Section 61-14-7.1 NMSA 1978 directs the Animal Sheltering Committee of the NMBVM to develop criteria for individuals, nonprofit organizations, animal shelters and euthanasia agencies to receive monetary assistance for dog and cat spaying and neutering from the Animal Care and Facility Fund; and recommend to the NMBVM the disbursements of money from the Animal Care and Facility Fund to eligible individuals, nonprofit organizations, animal shelters and euthanasia agencies.

For the other proposed rules, Subsection F of Section 61-14-5 NMSA 1978, the NMBVM has authority to promulgate rules necessary to establish recognized standards for the practice of veterinary medicine and to carry out the provisions of the Veterinary Practice Act.

Purpose of Proposed Rules:

The purpose of the proposed rule related to the Animal Care and Facility Fund is to establish criteria and procedures for the disbursement of funds from the Animal Care and Facility Fund to eligible recipients for providing spay and neuter services to dogs and cats.

The purpose of the proposed rule amendments related to fees is to adjust certain licensing fees to ensure the NMBVM can meet its financial requirements and to lower two fees to comply with statutory maximums.

The purpose of the proposed amendment to the emergency services requirement in Subsection B of 16.25.9.9 NMAC is to lessen the burden on veterinary facilities while ensuring the public's awareness of available emergency services.

Summary of Proposed Rules:

The proposed rule related to the Animal Care and Facility Fund determines the eligibility of all organizations and individuals seeking disbursements from the Animal Care and Facility Fund, outlines the obligations of successful applicants, describes the qualifications for individuals seeking disbursements from the Fund, details possible loss of eligibility for applicants, and provides the procedure for NMBVM approval of disbursements from the Fund.

The proposed rule amendments related to fees increase most licensing fees for NMBVM-regulated licensees by twenty-five percent. This includes fees for licensing of veterinarians, veterinarian technicians, veterinary facilities, and bovine artificial insemination and pregnancy diagnosis technicians. The proposed rule amendments also lower two fees for euthanasia technician licensure to the statutory cap.

The proposed rule amendment related to emergency services requires veterinary facilities to make information about the nearest emergency services available to the public and eliminates the requirement that veterinary facilities provide emergency services or have a pre-arranged referral to another veterinarian for emergency services.