

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The New Mexico Counseling and Therapy Practice Board will hold a rule hearing on Friday, June 7, 2024, at 9:00 a.m., immediately followed by a meeting of the board to consider any public comment and adoption of the proposed rules listed below.

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 meeting will take place at the Regulation and Licensing Department, Toney Anaya, located at 2550 Cerrillos Road, Santa Fe, New Mexico.

The hearing and subsequent meeting may also be accessed virtually via Microsoft Teams.

Meeting Link: <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 273 695 579 204 Passcode: qz6R2w

or

Join by Phone: +1-505-312-4308

Phone Access Code: 768 851 482#

The purpose of the rule hearing is to consider proposed amendments to the following board rules:

16.27.3 NMAC – Application Procedures, Initial Licenses, and License Period;

16.27.17 NMAC – Fees;

16.27.18 NMAC – Code of Ethics;

Copies of the proposed rule may be obtained through the board website or contacting the Board Administrator through the information below:

<https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/counseling-and-therapy-practice/board-information/ct-board-meetings/>

Jen Rodgers, Sr. Board Administrator

(505) 476-4607 – Board Administrator Direct Line

Counseling.board@rld.nm.gov

Written comment will be accepted during the public comment period, up until Friday, June 7, 2024, and may be submitted either by email or by postal mail to the following addresses:

counseling.board@rld.nm.gov

Attn: New Mexico Counseling and Therapy Practice Board

P.O. Box 25101

Santa Fe, NM 87504

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 both in-person and virtually. 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 available on the Board website linked above or by contacting the Board Administrator.

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 Administrator.

Statutory Authority:

The proposed rule changes are authorized by the Counseling and Therapy Practice Act, Sections 61-9A-1 through 61-9A-30 NMSA 1978, which provides explicit authority for the board to promulgate rules to protect public health and safety and carry out the provisions of the Act.

The rulemaking and public rule hearing is governed by the State Rules Act, Sections 14-4-1 through 14-4-11 NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Department of Justice, Parts 1.24.25.1 through 1.24.25.16 NMAC.

Purpose of Proposed Rules:

The proposed rule changes are intended to clarify the rules for Inactive licenses, continuing education requirements, record retention requirements, and honest advertising. More generally, the proposed rules are intended to provide greater clarity in existing regulatory and statutory requirements, ensure continued high levels of professionalism among licensees and certificate holders, and to generally satisfy the Board's statutory obligation to promote, preserve and protect the public health, safety and welfare.

Summary of Proposed Changes:

16.27.3 NMAC – Application Procedures, Initial Licenses, and License Period;

This change will clarify that Inactive licensees do not have a continuing education requirement but do have a fee and must renew their license every other year. It will also allow newly licensed individuals (licensees who have held a license less than two years) to only have to complete half of the continuing education requirements of those whose license was held for two years or more.

16.27.17 NMAC – Fees;

This repeal and replace of the rule will allow the board to collect inactive license fees every two years.

16.27.18 NMAC – Code of Ethics;

This change will establish that all licensees must have a record retention and succession plan and to ensure that licensees advertise their licenses truthfully.