

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The New Mexico Nutrition and Dietetics Practice Board will hold a rule hearing on Friday, August 16, 2024, at 10:00 a.m., immediately followed by a meeting of the board to consider any public comment and adoption of the proposed rule 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, Sandia Conference Room, located at 5500 San Antonio Drive NE, Albuquerque, New Mexico 87109.

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: 257 687 755 736 Passcode: NFjNjB

or

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

Phone Access Code: 918 823 604#

The purpose of the rule hearing is to consider changes to the current rule:
16.14.3 NMAC – Requirements for Licensure.

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/nutrition-and-dietetics/statutes-rules-and-rule-hearings/>

Jen Rodgers, Sr. Board Administrator

(505) 476-4622 – Main Line for the Boards and Commissions Division

nutritiondieteticsbd@rld.nm.gov

Written comment will be accepted during the public comment period, up until Friday, August 16, 2024, and may be submitted either by email or by postal mail to the following addresses:

nutritiondieteticsbd@rld.nm.gov

Attn: New Mexico Nutrition and Dietetics 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 Nutrition and Dietetics Practice Act, Sections 61-7A-1 through 61-7A-15 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 change would change the requirements for the Nutritionist license, removing membership in professional organizations as an alternative to the education requirement of a master's degree in human nutrition, nutrition education, foods and nutrition, or public health nutrition, as such professional memberships used to require a master's degree plus further certifications, but now do not necessarily require a master's degree. More generally, the proposed rule changes 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 Rule:

16.14.3.9 NMAC – Requirements for Licensure; Requirements for Nutritionist License:

For Nutritionists, removal of membership in professional organizations as an alternative pathway to the education requirement of a master's degree in human nutrition, nutrition education, foods and nutrition, or public health nutrition, as such professional memberships used to require a master's degree in addition to further certifications, but now do not necessarily require a master's degree.