

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The New Mexico Speech-Language Pathology, Audiology & Hearing Aid Dispensing Practices Board will hold a rule hearing on Friday, June 21, 2024, at 10:00 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 Building, Rio Grande Conference Room, 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: 232 953 715 853 Passcode: qyUcV5

or

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

Phone Access Code: 681 529 26#

The purpose of the rule hearing is to consider a new rule to be added to the current board rules:
16.26.3 NMAC – Scope of Practice.

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/speech-language-pathology-audiology-and-hearing-aid-dispensing-practices/statutes-rules-and-rule-hearings/>

Jen Rodgers, Sr. Board Administrator

(505) 476-4607 – Board Administrator Direct Line

speech.hearing@rld.nm.gov

Written comment will be accepted during the public comment period, up until Friday, June 21, 2024, and may be submitted either by email or by postal mail to the following addresses:

speech.hearing@rld.nm.gov

Attn: New Mexico Speech-Language Pathology, Audiology & Hearing Aid Dispensing Practices 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 Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act, Sections 61-14B-1 through 61-14B-25 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 additions are intended to clarify the scope of practice for all license types under this board, but specifically Hearing Aid Dispensers, giving more specific direction on the treatment of certain cases. 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 Rule:

16.26.3 NMAC – Scope of Practice;

This new rule will clarify the scope of practice for all license types under this board, and provide specific guidance to Hearing Aid Dispensers regarding the treatment and fitting of hearing aids for minors, persons with tinnitus, persons requiring cerumen removal, and persons with cochlear implants and other oseointegrated devices.