

This is an amendment to 16.4.10 NMAC, Section 8 effective 03/31/09.

**16.4.10.8 CONTINUING EDUCATION:**

A. In accordance with Section 61-4-3 NMSA 1978, New Mexico Chiropractic Physician Practice Act, chiropractic physicians licensed in New Mexico are required to complete a minimum of sixteen (16) hours of board approved continuing education annually by the time of license renewal. Credit hours may be earned at any time during the annual reporting period, July 1 through June 30, immediately preceding annual renewal.

B. Each chiropractor renewing a license shall attest that they have obtained the required hours of continuing education on the renewal form. The board will select by random RLD computer processes, no less than 10% of renewal applications for audit to verify completion of acceptable continuing education. Audit requests will be included with the renewal notice and those selected chiropractors will be asked to submit proof of compliance with the continuing education requirements. The board may audit continuing education records at any time. Continuing education records must be maintained for three years following the renewal cycle in which they are earned.

C. The board will approve continuing education programs which in its determination, advance the professional skills, risk management understanding and knowledge of the licensee that is directly related to the practice of chiropractic art, science or philosophy. Practice building and self-motivational courses, and courses that are determined not to have significant or a direct relationship to the safe and effective practice of chiropractics; or such portions of those programs or courses, may not be approved. There will be no charge to a licensee for individual request for approval.

D. The board may determine that, in its opinion, a particular course or area of professional education is of such importance or addresses an area of special need as it pertains to public protection that all licensees shall be required to take the course of study as a part of or in addition to the CE requirements:

- (1) the declaration of a mandatory course must be made by a majority vote of the board at a regular scheduled meeting;
- (2) the course title, approved instructors (if appropriate), locations of course delivery or methods of securing approved print or electronic presentations of the course must be communicated to all licensed New Mexico chiropractors on or before September 1st of the year that the course is made mandatory;
- (3) the mandatory nature of courses so designated shall expire on June 30th of the current licensing year or the determination must be renewed by a majority vote of the board at a regular scheduled meeting and the extension of the mandatory nature communicated to all active licensees on or before September 1st.

E. The following seminars or continuing education programs meeting board criteria for license renewal credit by the following entities shall be automatically approved:

- (1) American chiropractic association and international chiropractic association, or their successors;
- (2) the annual convention of any state recognized chiropractic association; or
- (3) chiropractic colleges having accreditation status with the chiropractic council on education (CCE);
- (4) officiating during national board examinations shall be credited to the professional members of the NMBCE as approved hours of continuing education;
- (5) those courses that have secured accreditation through the "NBCE" and carry the "PACE" designation;

(6) webinar, teleseminar, compact disc (CD), video taped or audio taped courses produced or endorsed by approved entities may be accepted for continuing education credit:

- (a) the completion of such education shall be supported through record keeping with a letter, memo or on a form approved by the board, that includes the dates, times, vendors' or presenters' name/s, and total hours claimed for each course;
- (b) the licensee's retained records must include the following statement, "I swear or affirm that I viewed or listened to these continuing education courses in their entirety on the dates and times specified in this document";
- (c) a maximum of 8 hours may be obtained through these distance learning methods unless specific individual approval by the board is obtained.

F. A fee as set forth in Paragraph (4) of Subsection A of 16.4.1.13 NMAC will be assessed to all non approved entities, sponsoring institutions, or organizations requesting approval of any seminar or continuing education programs not noted in Subsection C of 16.4.10.8 NMAC.

G. All non approved entities, sponsoring institutions, or organizations requesting approval of seminars or continuing education programs must be submitted to the board office in writing by the licensee or

sponsoring entity at least forty-five (45) days prior to the first day of the seminar or continuing education program and must include:

- (1) course title, objective and format;
- (2) sponsoring entity;
- (3) total class hours;
- (4) method for certification of attendance; or documentation of completion of program;
- (5) instructors credentials; and
- (6) courses that in the boards opinion enhance the professional practice procedures, risk management,

clinical skills or the doctor's ability to understand and operate within managed care guidelines and regulations are not approved.

H. The board may waive or extend the time for completion of the annual continuing education requirement if the licensee has reached the age of 70 years or if the licensee files with the board the statement of a licensed physician certifying the physical inability of the licensee to attend a seminar.

I. Licensees serving in the United States military practicing or residing outside the United States shall not be required to fulfill the continuing education requirements for the period of the absence.

(1) The board must be notified prior to license expiration that the licensee will be outside the United States, including the period of the absence.

(2) Upon return to the United States, the licensee shall complete the continuing education required for the years of practice within the United States during the renewal cycle, or apply for an emergency deferral.

(3) All renewal fees shall be waived while the licensee is practicing or residing outside the country serving in the military or under armed services contract.

(4) The board may waive any and all deadlines by special request of licensee in active military service or under armed services or federal contract requiring absence from the jurisdiction.

J. The board may, under circumstances deemed appropriate by the board, waive the forty-five (45) day advance requirement set forth in Subsection F of 16.4.10.8 NMAC for request of approval by individual licensees.

K. All licensees shall comply with the requirements of this regulation on or before July 1st of each year.

L. This rule supersedes all prior continuing education rules.

M. The board may recognize, upon application, a chiropractic association for the purpose of this part if the association:

- (1) has 100% voluntary membership as evidenced by a written affirmative request for membership;
- (2) has 100% of its membership which is licensed in New Mexico, in good standing as a chiropractic physician;
- (3) submits a copy of the association charter, by-laws and any similar association documents;
- (4) is organized for the express purpose of promoting good and ethical chiropractic practice.

[1/11/74; 10/23/86; 3/22/95; 11/16/97; 10/31/98; 1/29/99; 16.4.10.8 NMAC - Rn & A, 16 NMAC 4.10.8, 1/15/2005; A, 3/15/06; A, 11/19/07; A, 03/31/09]