

NOTICE OF PUBLIC RULE HEARING AND PHYSICAL THERAPY BOARD MEETING

The New Mexico Physical Therapy Board and the Regulation and Licensing Department will hold a rule hearing on Monday November 10, 2025, at 10:00 a.m., immediately followed by a meeting of the Physical Therapy Board for adoption of the proposed rules listed below. The hearing and subsequent board meeting will take place at the Regulation and Licensing Department, located at 2550 Cerrillos Rd. Santa Fe, NM, 87505, Hearing Room 1 Conference Room.

The hearing and subsequent Physical Therapy Board meeting may also be accessed virtually via Microsoft Teams. Meeting Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NzliY2E3M2UtNWY4Ni00ZmMxLTkwN2MtZDFkNDcwMTJkNWJj%40thread.v2/0?context=%7b%22id%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22oid%22%3a%22d3fe0eed-1d12-48f7-a361-c27ae097daa2%22%7d

Login (meeting by ID): <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 232 073 678 075 7

Passcode: UQ3c8Sx6

Dial in by phone

+1 505-312-4308, United States, Albuquerque

Phone conference ID: 706 737 185#

The purpose of the rule hearing is to consider the initiation of rulemaking for the following rules:

Rule 16.020.0001 NMAC - General Provisions

Rule 16.020.0003 NMAC - Issuance of Licenses

Rule 16.020.0004 NMAC - Temporary Licenses

Rule 16.020.0005 NMAC - Schedule of Fees

Rule 16.020.0007 NMAC - Supervision

Rule 16.020.0008 NMAC - Renewal Requirements and Continuing Education

Rule 16.020.0009 NMAC - Education Criteria for Foreign-Educated Applicants

Rule 16.020.0012 NMAC - Expedited Licensing Requirements

Rule 16.020.0013 NMAC - Dry Needling Provision

Rule 16.020.0014 NMAC - Imaging

On Wednesday, October 8, 2025, copies of the proposed rules may be obtained through the New Mexico Physical Therapy Board website at <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/physical-therapy/board-information/physical-therapy-board-meetings/> or by contacting the Board Administrator, Evan Ortega at physical.therapy@rld.nm.gov or (505) 476-4622.

The New Mexico Physical Therapy Board and the Regulation and Licensing Department will begin accepting written public comment regarding the proposed rule changes beginning Wednesday, October 8, 2025, 8:00 a.m. and ending Monday, November 10, 2025, at 10:00 a.m. Written public comment may be submitted either by email to physical.therapy@rld.nm.gov or by postal mail to the following address:

Attn: New Mexico Physical Therapy Board

P.O. Box 25101

Santa Fe, NM 87504

Written comments received during the public comment period (October 8, 2025 – November 10, 2025) will be posted to the website page linked above. Public comments will also be accepted during the rule hearing and may be submitted in writing or presented orally by those attending in-person. The members of the New Mexico Physical

Therapy Board will not enter substantive discussion of public comments during the rule hearing but will consider and deliberate any public comment during the regular board meeting immediately following the conclusion of the public rule hearing.

The agenda for the New Mexico Physical Therapy Board regular 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 website listed above or by contacting the Board Administrator Evan Ortega.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or the regular board meeting, please contact the Board Administrator Evan Ortega at physical.therapy@rld.nm.gov or (505) 476-4622 at least 7 days prior to the rules hearing and regular board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

For inclement weather: If the New Mexico state offices are placed on a two-hour delay to inclement weather, the rule hearing will be pushed back two hours from the noticed hearing time. If New Mexico state offices are closed due to inclement weather, the rule hearing will be rescheduled as soon as possible.

Statutory Authority: The rule changes are authorized by the Physical Therapy Practice Act (Act), Section 61-12D-1 through 61-12D-19 NMSA 1978, which provides explicit authority for the Physical Therapy Board to protect public health and safety and adopt rules for the administration 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 through 1.24.25.16 NMAC

Purpose of Proposed Rules: The proposed rule changes are intended to address changes to the Physical Therapy Practice Act, to provide greater clarity and align rules with the process for online applications, implement process for CE Audit, update the schedule of fees, improve process for Temporary License holders, clarify supervision protocol, and provide guidelines for Dry Needling and Imaging in Physical Therapy Practice. 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 Changes: The Board summarizes its proposed changes to its administrative rules as follows:

Rule 16.020.0001 NMAC - General Provisions – Changes to grammar and form of titles, and inclusion of American Physical Therapy Association Code of Ethics.

Rule 16.020.0003 NMAC - Issuance of Licenses – Updates to the background check requirement.

Rule 16.020.0004 NMAC - Temporary Licenses – Amending the definition language for Temporary Licenses and supervisory protocol.

Rule 16.020.0005 NMAC - Schedule of Fees – Changing the price of licenses and renewals to include an administrative electronic processing fee, and changing the price of returned checks and e-checks.

Rule 16.020.0007 NMAC – Supervision – Including language for telehealth supervision to align with the New Mexico Telehealth Act.

Rule 16.020.0008 NMAC - Renewal Requirements and Continuing Education – Including the definition for a Qualified Individual, clarifying the process for continuing education approval and annual renewals.

Rule 16.020.0009 NMAC - Education Criteria for Foreign-Educated Applicants – Clarifying the requirements for the application process for Foreign Educated applicants.

Rule 16.020.0012 NMAC - Expedited Licensing Requirement – Amending requirements for expedited licensure for military service members and their families.

Rule 16.020.0013 NMAC - Dry Needling Provision – Clarifying language for qualifications for administering Dry Needling for Physical Therapists.

Rule 16.020.0014 NMAC – Imaging – Creating a new section for Part 20 of Title 16 for Physical Therapists seeking justification for ordering imaging.