

This is an amendment to 16.23.12 NMAC, Section 14, effective January 13, 2026.

**16.23.12.14 CONTINUING EDUCATION AUDIT:** The department, in consultation with the board, may elect to use an audit system for verifying continuing educational activities at the time of renewal.

**A.** In this case, the department will randomly select a minimum of ten percent of the currently licensed respiratory care practitioners to provide, with their renewal applications, hard-copy proof of having met the continuing education requirement.

**B.** Audit requests [~~will~~] may be included in the renewal notice or requested after a renewal application is submitted. Licensees selected for audit will be notified by email.

**C.** Licensees not selected for audit will be required only to list the continuing education activities completed on their renewal applications. The department shall still have the option to audit these individuals' continuing education records at any time before the next scheduled license renewal.

**D.** An individual who submits a sworn affidavit on their renewal application to demonstrate compliance with continuing education requirements but is found to be non-compliant during an audit will be subject to fines and other penalties determined appropriate by the board.

[16.23.12.14 NMAC - Rp, 16.23.12.14 NMAC, 04/21/2022; A, 01/13/2026]