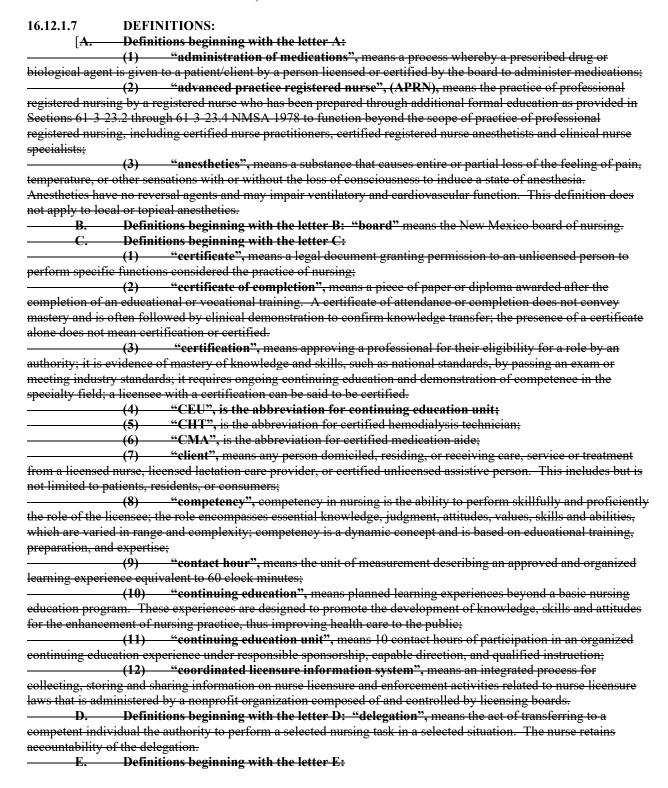
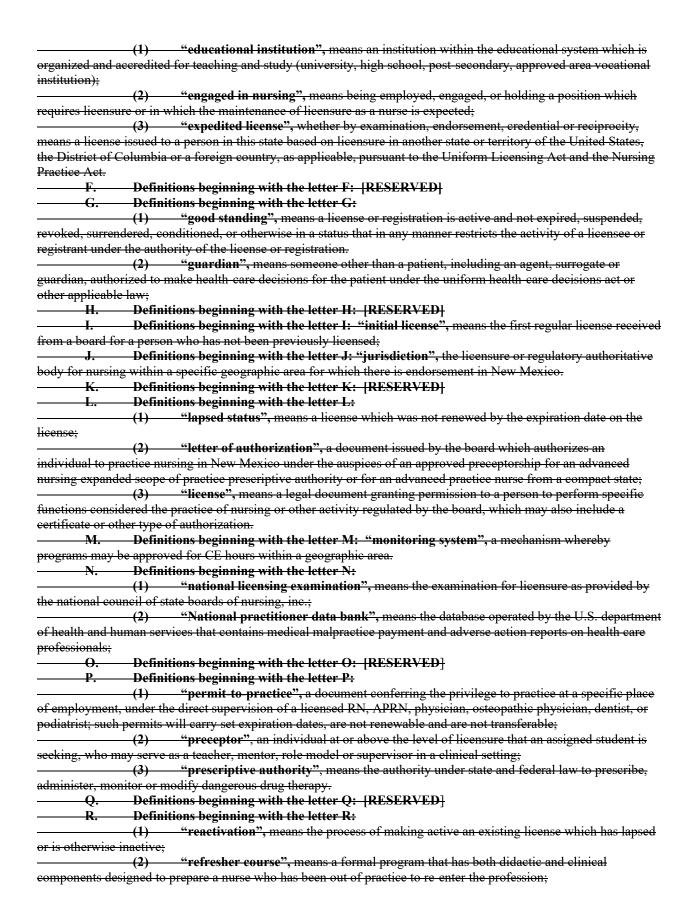
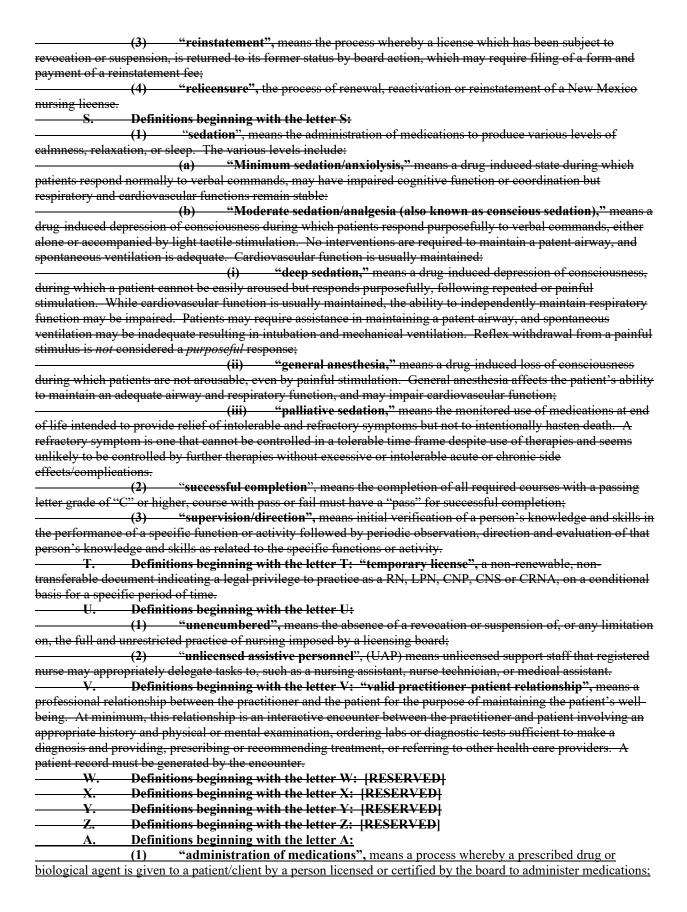
This is an amendment to 16.12.1 NMAC, Sections 7 and 8 effective 1/1/2026.







"advanced practice", means the practice of professional registered nursing by a registered nurse who has been prepared through additional formal education as provided in Sections 61-3-23.2 through 61-3-23.4 NMSA 1978 to function beyond the scope of practice of professional registered nursing, including certified nurse practitioners, certified registered nurse anesthetists and certified clinical nurse specialists; "advanced practice registered nurse", (APRN), means a certified nurse practitioner, certified registered nurse anesthetist, or certified clinical nurse specialists licensed pursuant to the Nursing Practice Act; "anesthetics", means a substance that causes entire or partial loss of the feeling of pain, temperature, or other sensations with or without the loss of consciousness to induce a state of anesthesia. Anesthetics have no reversal agents and may impair ventilatory and cardiovascular function. This definition does not apply to local or topical anesthetics. "artificial intelligence", means a broad category of existing, emerging, and future digital **(5)** technologies that involved using algorithms to drive the behavior of agents, such as software programs, machines, and robotics. An artificial intelligence system shall not be labeled as or referred to as a nurse. The presence of AI will not be included as a factor in nurse staffing calculations. "affidavit", a sworn written statement made to affirm a statement of fact; **(6) (7)** "approval", the review and acceptance of a specific activity; **(8)** "approval agency", agency, institution or organization with the authorization to award CE credit; "approved equivalent", a program reviewed and accepted by the board of nursing as **(9)** meeting necessary regulatory/statutory requirements; (10)"assessment", the review and interpretation by a licensed individual of specific data necessary to determine the patient/client's care and treatment needs; (also see data collection); "assignment of nursing activity", assignment of nursing activity involves appointing or designating another licensed nurse or assistive personnel that is consistent with his/her scope of practice (licensed person) or role description (unlicensed person); "audit", an examination and verification of CE and practice documents. (12)В. Definitions beginning with the letter B: "basic nursing education", the scholastic route to initial licensure; **(1)** "board", the New Mexico board of nursing. C. **Definitions beginning with the letter C:** "certificate", means a legal document granting permission to an unlicensed person to **(1)** perform specific functions considered the practice of nursing; "certificate of completion", means a piece of paper or diploma awarded after the completion of an educational or vocational training. A certificate of attendance or completion does not convey mastery and is often followed by clinical demonstration to confirm knowledge transfer; the presence of a certificate alone does not mean certification or certified. "certification", means approving a professional for their eligibility for a role by an authority; it is evidence of mastery of knowledge and skills, such as national standards, by passing an exam or meeting industry standards; it requires ongoing continuing education and demonstration of competence in the specialty field; a licensee with a certification can be said to be certified. "CEU", is the abbreviation for continuing education unit; **(4)** "CHT", is the abbreviation for certified hemodialysis technician; **(5)** "CMA", is the abbreviation for certified medication aide; **(6)** "client", means any person domiciled, residing, or receiving care, service or treatment **(7)** from a licensed nurse, licensed lactation care provider, or certified unlicensed assistive person. This includes but is not limited to patients, residents, or consumers:

learning experience equivalent to 60 clock minutes;

the role of the licensee; the role encompasses essential knowledge, judgment, attitudes, values, skills and abilities, which are varied in range and complexity; competency is a dynamic concept and is based on educational training,

"collaboration", practice in conjunction with another health professional;

"competency", competency in nursing is the ability to perform skillfully and proficiently

"consultation", to communicate regularly to set goals and objectives and to review and

"contact hour", means the unit of measurement describing an approved and organized

**(8)** 

(10)

**(11)** 

preparation, and expertise;

document outcomes;

- (12) "continuing education", means planned learning experiences beyond a basic nursing education program. These experiences are designed to promote the development of knowledge, skills and attitudes for the enhancement of nursing practice, thus improving health care to the public;
- (13) "continuing education unit", means 10 contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction:
- (14) "coordinated licensure information system", means an integrated process for collecting, storing and sharing information on nurse licensure and enforcement activities related to nurse licensure laws that is administered by a nonprofit organization composed of and controlled by licensing boards.

# D. Definitions beginning with the letter D:

- (1) "data collection", the process of obtaining information, material, fact or clinical observations which will be used in the assessment process; data collection is not limited to licensed individuals:
- (2) "delegation", the transferring to a competent individual the authority to perform a selected nursing task in a selected situation. The nurse retains accountability of the delegation;
- (3) "department of public safety", the New Mexico department of public safety or other state's department of public safety;
- (4) "dependent practice" for a Licensed Practical Nurse (LPN) means the LPN is authorized to practice when the practice is directed by a registered nurse or heath care provider authorized to practice in this state (RN, APRN, MD/DO, DDS, or PA in their role as physician extender);
- (5) "direct supervision for graduate permit holders", at a minimum, the person responsible for the direct supervision must be in the facility or on the unit with the graduate permit holder observing, directing and evaluating the performance of the permit holder; the supervisor must not be engaged in other activities that would prevent them from providing direct supervision.
- (6) "delegation", means the act of transferring to a competent individual the authority to perform a selected nursing task in a selected situation. The nurse retains accountability of the delegation.

# **E.** Definitions beginning with the letter **E**:

- (1) "educational institution", means an institution within the educational system which is organized and accredited for teaching and study (university, high school, post-secondary, approved area vocational institution);
- (2) "eligible for graduation", individual who has met all the requirements of an educational program.
- (3) "encumbered", means any current form of discipline against a license or certificate that restricts the ability to practice, including but not limited to, fine, probation, suspension, revocation, condition or limitation on the license or certificate;
- (4) "engaged in nursing", means being employed, engaged, or holding a position which requires licensure or in which the maintenance of licensure as a nurse is expected;
- (5) "expedited license", whether by examination, endorsement, credential or reciprocity, means a license issued to a person in this state based on licensure in another state or territory of the United States, the District of Columbia or a foreign country, as applicable, pursuant to the Uniform Licensing Act and the Nursing Practice Act.
- F. Definitions beginning with the letter F: "Final transcript", an official record of course work and grades, issued by a school, which indicates date of program completion and certificate or degree awarded.

# G. Definitions beginning with the letter G:

- (1) "gender identity", means a person's self-perception, based on the person's appearance, behavior or physical characteristics, that the person exhibits more masculinity of femininity whether or not it matches the person's gender or sex assigned at birth.
- [(1)] (2) "good standing", means a license or registration is active and not expired, suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a licensee or registrant under the authority of the license or registration.
- [(2)] (3) "guardian", means someone other than a patient, including an agent, surrogate or guardian, authorized to make health-care decisions for the patient under the uniform health-care decisions act or other applicable law;
- H. Definitions beginning with the letter H: "Health care work force data collection", an electronic survey, designed to be completed by applicants for licensure or renewal, which includes questions regarding a core essential data set.

### I. Definitions beginning with the letter I:

"independent practice", for a registered nurse (RN) means proving nursing services autonomously, without direct supervision from a physician or other healthcare provider, within the legal scope of practice; "inactive list", compilation of those licenses that are in good standing but not current; "initial license", the process of achieving the legal privilege to practice within a professional category upon the completion of all educational requirements and the successful writing of the national licensing examination; Definitions beginning with the letter J: "jurisdiction", the licensure or regulatory authoritative body for nursing within a specific geographic area for which there is endorsement in New Mexico. **Definitions beginning with the letter K: [RESERVED] Definitions beginning with the letter L:** L. **(1)** "lapsed status", means a license which was not renewed by the expiration date on the license; "letter of authorization", a document issued by the board which authorizes an individual to practice nursing in New Mexico under the auspices of an approved preceptorship for an advanced nursing expanded scope of practice prescriptive authority or for an advanced practice nurse from a compact state; (3) "license", means a legal document granting permission to a person to perform specific functions considered the practice of nursing or other activity regulated by the board, which may also include a certificate or other type of authorization. **(4)** "licensure by endorsement", the process of achieving the legal privilege to practice within a professional category, in New Mexico, by individuals licensed in other jurisdictions, upon fulfilling all requirements set by this state. "licensed provider", means an individual who has the authority to order medications, treatments, therapies, and procedures in their scope of practice and includes certified clinical nurse specialist (CCNS), certified nurse practitioner (CNP), certified registered nurse anesthetist (CRNA), certified nurse midwife (CNM), medical doctor (MD), doctor of osteopathy (DO), doctor of dental Surgery (DDS), doctor of dental medicine (DMD) and physician assistant (PA); Definitions beginning with the letter M: Μ. "medical emergency", a situation resulting from a disaster in which the number of persons requiring nursing care exceeds the availability of New Mexico registered nurses or licensed practical nurses; "monitoring system", a mechanism whereby programs may be approved for CE hours **(2)** within a geographic area; **(3)** "must", a requirement. Definitions beginning with the letter N: "national licensing examination", means the examination for licensure as provided by **(1)** the national council of state boards of nursing, inc.; "nationwide criminal history record", information concerning a person's arrests, indictments or other formal criminal charges and any dispositions arising there from, including convictions, dismissals, acquittals, sentencing and correctional supervision, collected by criminal justice agencies and stored in the computerized databases of the federal bureau of investigation, the national law enforcement telecommunications systems, the department of public safety or the repositories of criminal history information of other states; "nationwide criminal history screening", a criminal history background investigation (3) of an applicant for licensure by examination or endorsement through the use of fingerprints reviewed by the department of public safety and submitted to the federal bureau of investigation, resulting in the generation of a nationwide criminal history record for that applicant. [(2)] (4) "National practitioner data bank", means the database operated by the U.S. department of health and human services that contains medical malpractice payment and adverse action reports on health care professionals; **Definitions beginning with the letter O: [RESERVED]** P. **Definitions beginning with the letter P:** "permit-to-practice", a document conferring the privilege to practice at a specific place of employment, under the direct supervision of a licensed RN, APRN, physician, osteopathic physician, dentist, or podiatrist; such permits will carry set expiration dates, are not renewable and are not transferable; "permit-to-practice for GCNSs", a document conferring the privilege to practice as a graduate clinical nurse specialist, at a specific place of employment, under the direct supervision of a licensed

provider in New Mexico as a member of the health care team; such permits will carry set expiration dates, are not renewable and are not transferable;

- (3) "permit-to-practice for GNs and GPNs", a document conferring the privilege to practice nursing at a specific place of employment, under direct supervision of a RN only; such permits will carry set expiration dates, are not renewable or transferable;
- (4) "permit-to-practice for GNPs", a document conferring the privilege to practice as a graduate nurse practitioner, at a specific place of employment, under the direct supervision of a licensed provider in New Mexico as a member of the health care team; such permit will carry set expiration dates, are not renewable and are not transferable;
- (5) "permit-to-practice for GRNAs", a document conferring the privilege to administer anesthesia to any person, as a GRNA, at a specific place of employment, functioning in an interdependent role under the direction of and in collaboration with a licensed provider in New Mexico; such permits will carry set expiration dates, and are not renewable or transferable;
- (6) "post-graduate program", any specialized knowledge and skills sought after completion of a basic nursing educational program which does not necessarily lead to an advanced degree;
- (7) "prescriptive authority", means the authority under state and federal law to prescribe, administer, monitor or modify dangerous drug therapy.
  - (8) "private practice", employment status of an individual nurse who is self-employed.
  - Q. Definitions beginning with the letter Q: [RESERVED]
  - R. Definitions beginning with the letter R:
- (1) "reactivation", means the process of making active an existing license which has lapsed or is otherwise inactive;
- (2) "recognized national or state institutions/organizations", institutions and organizations recognized as providers of CE for nurses;
- (3) "refresher course", means a formal program that has both didactic and clinical components designed to prepare a nurse who has been out of practice to re-enter the profession;
- (4) "reinstatement", means the process whereby a license which has been subject to revocation or suspension, is returned to its former status by board action, which may require filing of a form and payment of a reinstatement fee;
- (5) "relicensure", the process of renewal, reactivation or reinstatement of a New Mexico nursing license.
  - S. Definitions beginning with the letter S:
- (1) "sedation", means the administration of medications to produce various levels of calmness, relaxation, or sleep. The various levels include:
- (a) "Minimum sedation/anxiolysis," means a drug-induced state during which patients respond normally to verbal commands, may have impaired cognitive function or coordination but respiratory and cardiovascular functions remain stable:
- (b) "Moderate sedation/analgesia (also known as conscious sedation)," means a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained:
- (i) "deep sedation," means a drug-induced depression of consciousness, during which a patient cannot be easily aroused but responds purposefully, following repeated or painful stimulation. While cardiovascular function is usually maintained, the ability to independently maintain respiratory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate resulting in intubation and mechanical ventilation. Reflex withdrawal from a painful stimulus is not considered a purposeful response;
- (ii) "general anesthesia," means a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. General anesthesia affects the patient's ability to maintain an adequate airway and respiratory function, and may impair cardiovascular function;
- (iii) "palliative sedation," means the monitored use of medications at end of life intended to provide relief of intolerable and refractory symptoms but not to intentionally hasten death. A refractory symptom is one that cannot be controlled in a tolerable time frame despite use of therapies and seems unlikely to be controlled by further therapies without excessive or intolerable acute or chronic side effects/complications.

- (2) "sexual orientation", means a person's physical, romantic or emotional attraction to persons of the same or different gender or the absence of any such attraction.
  - (3) "shall", mandatory; a requirement;
  - (4) "should", a suggestion or recommendation; not a requirement;
- (5) "sponsor/provider", any person, organization, agency, or institution which organizes, develops, implements, and evaluates a CE activity;
- (6) "state approved program", a basic nursing education program approved or accredited by a state board of nursing or a nationally recognized nursing education accreditation body;
- (7) "successful completion", means the completion of all required courses with a passing letter grade of "C" or higher, course with pass or fail must have a "pass" for successful completion;
- (8) "supervision/direction", means initial verification of a person's knowledge and skills in the performance of a specific function or activity followed by periodic observation, direction and evaluation of that person's knowledge and skills as related to the specific functions or activity.
- T. Definitions beginning with the letter T: "temporary license", a non-renewable, non-transferable document indicating a legal privilege to practice as a RN, LPN, CNP, CNS or CRNA, on a conditional basis for a specific period of time.
  - U. Definitions beginning with the letter U:
- (1) "unencumbered", means the absence of a revocation or suspension of, or any limitation on, the full and unrestricted practice of nursing imposed by a licensing board;
- (2) "unlicensed assistive personnel", (UAP) means unlicensed support staff that registered nurse may appropriately delegate tasks to, such as a nursing assistant, nurse technician, or medical assistant:
- (3) "Uniform Licensing Act", New Mexico statute which provides procedures to be utilized in disciplinary proceedings.
- V. Definitions beginning with the letter V: "valid practitioner-patient relationship", means a professional relationship between the practitioner and the patient for the purpose of maintaining the patient's well-being. At minimum, this relationship is an interactive encounter between the practitioner and patient involving an appropriate history and physical or mental examination, ordering labs or diagnostic tests sufficient to make a diagnosis and providing, prescribing or recommending treatment, or referring to other health care providers. A patient record must be generated by the encounter.
  - W. Definitions beginning with the letter W: [RESERVED]
  - X. Definitions beginning with the letter X: [RESERVED]
  - Y. Definitions beginning with the letter Y: [RESERVED]
  - Z. Definitions beginning with the letter Z: [RESERVED]

[16.12.1.7 NMAC - Rp, 16.12.1.7 NMAC, 12/13/2022, A, 5/21/2024; A, 1/1/2026]

#### 16.12.1.8 GLOSSARY OF ABBREVIATONS:

- **A.** APRN: Advanced practice registered nurse (i.e. CNP, CNS, CRNA);
- **B.** CE: Continuing education;
- **C.** CHT: Certified hemodialysis technician;
- **D.** CMA: Certified medication aide;
- **E.** CNP: Certified nurse practitioner;
- F. [CNS] CCNS: Certified Clinical nurse specialist;
- **G.** COA: Council on accreditation of nurse anesthesia educational program;
- **H.** CRNA: Certified registered nurse anesthetist;
- **I.** DNP: Doctor of nursing practice;
- J. GCNS: Graduate clinical nurse specialist;
- **K.** GN: Graduate nurse:
- **L.** GNP: Graduate nurse practitioner;
- M. GPN: Graduate practical nurse;
- **N.** GRNA: Graduate registered nurse anesthetist;
- **O.** LPN: Licensed practical nurse;
- **P.** MN: Master's in nursing;
- Q. MSN: Master of science in nursing;
- **R.** NBCRNA: National board on certification & recertification of nurse anesthetists;
- S. NCLEX-RN/PN: National council licensing examination RN/PN;
- T. NCSBN: National council of state boards of nursing;

- NLNAC: National league for nursing accrediting commission; NMSA: New Mexico statutes annotated; NPA: Nursing Practice Act; U.
- V.
- W.

X. RN: Registered nurse; Y. ULA: Uniform Licensing Act. [16.12.1.7 NMAC - Rp, 16.12.1.7 NMAC, 12/13/2022, A; 5/21/2024; A, 1/1/2026]