

NOTICE OF EMERGENCY RULEMAKING

Public Notice: The New Mexico Medical Board (NMMB) has filed emergency rules, effective July 29, 2025. This action addresses procedural updates following the August 2, 2024, public rule hearing where the Board received input on amendments to 16.21.1 through 16.21.12 NMAC. Although those rules were amended, they should have been repealed and replaced. This notice of emergency rulemaking serves to inform that the previously amended rules (16.21.1-16.21.12 NMAC) are now formally repealed and replaced with the following:

- **16.10.23 NMAC, General Provisions**
- **16.10.24 NMAC, Fees**
- **16.10.25 NMAC, License by Exam**
- **16.10.29 NMAC, License Expiration and Renewal**
- **16.10.30 NMAC, Continuing Education**
- **16.10.32 NMAC, Lapse of License and Reinstatement**

Topic: Emergency Rule Hearing

Date: Nov 7, 2025

Time: 09:00 AM Mountain Time (US and Canada)

Place: New Mexico Medical Board

2055 S. Pacheco Street, Bldg. 400

Santa Fe, NM 87505

Purpose: During the 2023 Legislative Session HB83 passed and was signed by Governor Lujan Grisham on April 5, 2023. HB83 transferred the Podiatry Board from Regulation and Licensing Department to the New Mexico Medical Board. The addition to the Medical Practice Act requires promulgation of rules to implement the provisions set forth in HB83.

No technical information serves as a basis for this proposed rule change.

Public comment: Interested parties may provide comment on the proposed amendments of this state rule at the public hearing or may submit written comments to Monique Parks, New Mexico Medical Board, 2055 South Pacheco Street, Bldg. 400, Santa Fe, NM 87505, or by electronic mail to MoniqueM.Parks@nmmb.nm.gov. All written comments must be received no later than 3:00 p.m. (MDT) on October 31, 2025. All written comments will be posted to the agency website within (3) three business days.

Copies of proposed rules: Copies of the proposed rules may be accessed through the New Mexico Medical Board's website at www.nmmb.state.nm.us or may be obtained from the Board office by calling (505) 476-7220 or via email at MoniqueM.Parks@nmmb.nm.gov or at Elishia.Lucero@nmmb.nm.gov.

Individuals with disabilities who require the above information in an alternative format, or who need any form of auxiliary aid to attend or participate in the public hearing are asked to contact Monique Parks or Elishia Lucero at (505) 476-7220 or via email at MoniqueM.Parks@nmmb.nm.gov or Elishia.Lucero@nmmb.nm.gov. The New Mexico Medical Board requires at least ten (10) calendar days advance notice to provide any special accommodations requested.

Summary of proposed changes: The Board summarizes its proposed changes to its administrative rules as follows:

16.21.1 NMAC through 16.21.12 - Podiatric Licensure Rules:

As a matter of law and general summary, the entirety of the podiatric licensure rules are transferred to the New Mexico Medical Board for regulation of podiatric physicians in New Mexico. Thus, the rules issued under the Podiatry Board are being repealed.

16.21.1 NMAC- General Provisions

16.21.2 NMAC- Fees
16.21.3 NMAC- License by Exam
16.21.4 NMAC- Expedited License by Reciprocity
16.21.5 NMAC - Temporary License and Emergency License 16.21.6- Licensure for Military Members, Spouses, Dependent Children and Veterans
16.21.7 NMAC - License Expiration and Renewal
16.21.8 NMAC - Continuing Education
16.21.9 NMAC - Management of Pain with Controlled Substances
16.21.10 NMAC - Lapse of License and Reinstatement
16.21.11 NMAC - Disciplinary Proceedings
16.21.12 NMAC - Management of Medical Records

16.10.23 NMAC through 16.10.32 NMAC - Podiatric Licensure Rules:

The New Mexico Medical Board is adopting new rules to replace the repealed rules. Other changes to rules include: changing the title of podiatrist to podiatric physician; create a podiatry advisory committee; change reciprocity requirements and change licensure renewal periods from one year to two years.

16.10.23 NMAC - General Provisions
16.10.24 NMAC - Fees
16.10.25 NMAC - License by Exam
16.10.29 NMAC - License Expiration and Renewal
16.10.30 NMAC - Continuing Education
16.10.32 NMAC - Lapse of License and Reinstatement