

NOTICE OF PUBLIC RULE HEARING AND FUNERAL SERVICES BOARD MEETING

The New Mexico Funeral Services Board and the Regulation and Licensing Department will hold a rule hearing on Friday December 19, 2025, at 10:00 a.m., immediately followed by a meeting of the Funeral Services 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 5500 San Antonio dr. NE., Albuquerque, New Mexico 87109.

The hearing and subsequent Funeral Services board meeting may also be accessed virtually via Microsoft Teams.

Meeting Link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTg4YzlhZjgtMTRkNC00M2Y4LThhOGUtNjc3NzNhMDZiYTVm%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%22c32153ee-ab7c-43ed-ab7e-278fdf7f55d0%22%7d

Meeting ID: 264 608 687 123 7

Passcode: 57WH3dH9

Dial in by phone

+1 505-312-4308,,263403694# United States, Albuquerque

(888) 506-1357,,263403694# United States (Toll-free)

Find a local number

Phone conference ID: 263 403 694#

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

a. Rule 16.64.2 NMAC, Fees

b. Rule 16.64.4 NMAC, Requirements for Establishments and Crematories

c. Rule 16.64.6 NMAC, Continuing Education

On Friday, November 14, 2025, copies of the proposed rules may be obtained through the New Mexico Funeral Services board website <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/funeral-services/statutes-rules-and-rule-hearings/> Copies may also be obtained by contacting Gary Barela, Board Administrator, at funeral.board@rld.nm.gov

The New Mexico Funeral Services Board and the Regulation and Licensing Department will begin accepting written public comment regarding the proposed rule changes beginning Friday, November 14th, 2025, 8:00 a.m. and ending Thursday December 18, 2025, 8:00 a.m. Written public comment may be submitted either by email to funeral.board@rld.nm.gov

or by postal mail to the following address:

Attn: Funeral Services Board

P.O. Box 25101

Santa Fe, NM 87504

Written comments received during the public comment period (November 14, 2025 – December 18, 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 Funeral Services 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 Funeral Services 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 linked above or by

contacting the board administrator Gary Barela.

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 Gary Barela at (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 proposed rule changes are authorized by the Funeral Services Act, §§61-32-1 through §§61-32-31, NMSA 1978, which provides authority to authorize the board to promulgate rules to and carry out the provisions of the Act. The rulemaking and public rule hearing is governed by the State Rules Act, §§ 14-4-1 through -11 NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Department of Justice, Parts 1.24.25.1 through 1.24.25.16 NMAC.

Purpose of Proposed Rules: The proposed rule changes will repeal and replace existing rules to reflect updates that will be discussed at the hearing and made available on the Funeral Services Board website. These changes are intended to conform with statutory requirements, introduce additional administrative fees, and revise continuing education requirements. More broadly, the proposed rules aim to clarify existing regulatory and statutory provisions, uphold high standards of professionalism among licensees and certificate holders, and fulfill the Board's statutory obligation to promote, preserve, and protect public health, safety, and welfare.

Summary of Proposed Changes: The Board summarizes its proposed changes to its administrative rules as follows: Rule 16.64.2 NMAC – Fees: Elimination of certain fees and services, including copying costs, licensee lists, and mailing labels. The fee for returned checks and electronic checks (e-checks) will be reduced to \$35. A \$10 application processing fee will be added to support the Board's online services. Rule 16.64.4 NMAC – Requirements for Establishments and Crematories: The Board proposes to modernize the rule by removing outdated or redundant language to improve clarity and reduce confusion. Specific operational requirements will be eliminated, including the mandate that a licensed funeral service practitioner reside within a certain distance of the establishment, along with other procedural or logistical requirements that no longer reflect current industry practices or technological capabilities. Rule 16.64.6 NMAC – Continuing Education: The Board proposes to implement an audit process for continuing education compliance and update CEU requirements to better align with current professional standards.