

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 20 PHYSICAL THERAPISTS
PART 8 RENEWAL REQUIREMENTS AND CONTINUING EDUCATION

16.20.8.1 ISSUING AGENCY: New Mexico Physical Therapy Board.
[10-15-97; 16.20.8.1 NMAC - Rn & A, 16 NMAC 20.8.1, 8/31/2000]

16.20.8.2 SCOPE: All individuals who wish to practice physical therapy in the state of New Mexico.
[10-15-97; 16.20.8.2 NMAC - Rn & A, 16 NMAC 20.8.2, 8/31/2000]

16.20.8.3 STATUTORY AUTHORITY: Section 61-12-10 NMSA 1978.
[10-15-97; 16.20.8.3 NMAC - Rn, 16 NMAC 20.8.3, 8/31/2000]

16.20.8.4 DURATION: Permanent.
[10-15-97; 16.20.8.4 NMAC - Rn, 16 NMAC 20.8.4, 8/31/2000]

16.20.8.5 EFFECTIVE DATE: October 15, 1997, unless a later date is cited at the end of a section.
[10-15-97; 16.20.8.5 NMAC - Rn & A, 16 NMAC 20.8.5, 8/31/2000]

16.20.8.6 OBJECTIVE: The objective of Part 8 of Chapter 20 is to inform licensees of continuing education requirements for license renewal.
[10-15-97; 16.20.8.6 NMAC - Rn & A, 16 NMAC 20.8.6, 8/31/2000]

16.20.8.7 DEFINITIONS:

- A.** One (1) “**contact hour**” requires sixty (60) minutes.
- B.** “**Lecture**” means an educational talk given by a qualified individual.
- C.** “**Continuing professional education**” means learning experiences which enhance and expand the skills, knowledge, and abilities of physical therapists and physical therapist assistants to enable them to remain current and render competent professional service to clients, the profession, and the public.
- D.** “**Fellowship**” means a planned program designed to provide greater depth in a specialty or subspecialty area and requires a minimum of 1000 hours of instruction.
- E.** “**Panel**” means the presentation of a number of views by several qualified individuals on a given subject.
- F.** “**Workshop**” means a series of meetings designed for intensive study, skill development, or discussion in a specific field of interest.
- G.** “**Seminar/In-service**” means directed study for a group for advanced study, work or discussion in a specific field of interest.
- H.** “**Symposium**” means a conference of more than a single session organized for the purpose of discussing a specific subject from various viewpoints and by various speakers.

[10-15-97; 16.20.8.7 NMAC - Rn & A, 16 NMAC 20.8.7, 8/31/2000; A, 1/12/2008; A, 9/30/2014]

16.20.8.8 RENEWAL REQUIREMENT:

- A.** Renewal of license.
 - (1) A licensed physical therapist and a physical therapist assistant shall apply for license renewal and pay the renewal fee as set forth in 16.20.5 NMAC, Schedule of Fees.
 - (2) ~~[Licenses that expire February 1, 2010 will be renewed according to the following schedule:~~

~~_____ (a) _____ if the last digit of the license number ends in an even number, the license will expire on February 1, 2012 and biennially thereafter;~~

~~_____ (b) _____ if the last digit of the license number ends in an odd number, the license will expire on February 1, 2011 and biennially thereafter; the renewal fee will be prorated.] Licenses will be renewed biennially. Licenses will expire on February 1 following no more than two years of licensure.~~

- B.** The board office will mail a renewal notice to each licensee no later than December 15 at the address on record. Timely renewal of license is the full and complete responsibility of the licensee. If the licensee does not receive the renewal notification within a reasonable time after December 15, it is the responsibility of the licensee to contact the board office. Non-receipt of the renewal form by the licensee will not exempt licensure

expiration or late penalty fees.

C. Each licensee is responsible for submitting the required renewal fee by the expiration date whether or not a renewal notice is received by the licensee and licensee shall not practice if license is expired.

D. All license renewals postmarked after February 1 will be subject to a late fee of \$250.00 for a physical therapist and \$200.00 for a physical therapist assistant. (Refer to 16.20 5 NMAC, Schedule of Fees.) [10-15-97; 16.20.8.8 NMAC - Rn & A, 16 NMAC 20.8.8, 8/31/2000; A, 2/15/2004; A, 11/1/2004; A, 3/2/2006; A, 1/12/2008; A, 8/1/2009; A, 9/30/2014]

16.20.8.9 CONTINUING EDUCATION REQUIREMENT: Continuing education is required for license renewal of physical therapists and physical therapist assistants in order to ensure that New Mexico licensees are providing the highest quality professional services.

A. Thirty [~~30~~] hours of continuing education will be required biennially, except those who will renew their license for the first time. No continuing education is required of those who are renewing for the first time. All continuing education hours must be earned during the current two [~~2~~] year renewal period of February 1 through January 31.

B. The board shall audit a percentage of renewal applications each year to verify the continuing education requirement. If the licensee is audited, proof of participation in or presentation of continuing education activity must be submitted along with a renewal form.

(1) If a **notice of audit** is received with the license renewal notice, the licensee must submit evidence of continuing education hours earned during the current biennial renewal cycle to the board as requested and as required in the Physical Therapy Act and by this rule.

(2) If the licensee is **not audited**, the licensee will have to sign an affidavit attesting to the completion of the required hours of continuing education and the licensee shall retain all documentation of attendance for the previous cycle immediately preceding the current renewal.

(3) The board reserves the right to audit continuing education attendance certificates whenever there is reasonable doubt the courses submitted, dates, or hours may be incorrect.

C. Licensees serving in the armed forces reserve or national guard.

(1) The license of a physical therapist or physical therapist assistant who does not earn the required continuing education contact hours as provided in this section due to his or her call to active duty in the armed forces reserves or the New Mexico national guard, will not lapse for failure to earn continuing education hours.

(2) A physical therapist or physical therapist assistant who was or is called to active duty in the armed forces reserves or New Mexico national guard is required to provide official documentation that the licensee is a member of the armed forces reserves or the national guard and was or is being called to active duty.

(3) Upon the physical therapist or physical therapist assistant's return to civilian status, the licensee shall pay the license renewal fee and resume earning continuing education contact hours prorated according to the licensee's months of service as required to maintain his or her licensure as a physical therapist or physical therapist assistant.

[10-15-97; 16.20.8.9 NMAC - Rn & A, 16 NMAC 20.8.9, 8/31/2000; A, 2/15/2004; A, 3/2/2006; A, 1/12/2008; 16.20.8.9 NMAC - Rn, 16.20.8.8 NMAC & A, 8/1/2009; A, 8/16/2010]

16.20.8.10 CONTINUING EDUCATION CREDIT CARRYOVER: No carryover hours will be permitted. Thirty [~~30~~] continuing education hours must be earned during the current two [~~2~~] year renewal period of February 1 [~~thru~~] through January 31.

[10-15-97; 16.20.8.10 NMAC - Rn & A, 16 NMAC 20.8.10, 8/31/2000; Repealed, 3/2/2006; 16.20.8.10 NMAC - N, 8/1/2009]

16.20.8.11 FAILURE TO MEET CONTINUING EDUCATION REQUIREMENTS: Failure to meet continuing education requirements will cause the board to refuse to renew the physical therapist or physical therapist assistant license in accordance with the Uniform Licensing Act.

[16.20.8.11 NMAC - N, 8/1/2009]

16.20.8.12 APPROVAL OF CONTINUING EDUCATION CONTACT HOURS:

A. The process for approval of continuing education is as follows:

(1) the board or its designee will approve each request for continuing education credit; course approval must be requested by the course sponsor prior to the course or retroactively; however, licensee's are

not required to obtain approval but can request approval prior to a course or retroactively to ascertain that a course is acceptable as continuing education;

(2) the party requesting approval will be informed of the board's or designee's determination within thirty (30) calendar days of receipt of the request;

(3) the course sponsor or licensee whose request has been denied may appeal the denial at the next board meeting; and

(4) the same program may be provided more than one time and at different locations within the calendar year in which the fee was paid without the payment of additional fees.

B. Programs must follow the criteria and guidelines established by the board as follows to receive continuing education credit:

(1) each program or any course(s), with board approval that are sponsored by the APTA/NMAPTA will automatically be accepted for CEU approval without the need to apply for such approval;

(2) each program addresses needs (problems and issues) faced by physical therapists and physical therapist assistants;

(3) each program has specific written learning outcomes (objectives) based on identified needs;

(4) each program is planned and conducted by qualified individuals;

(5) program content and instructional methods for each program are based on learning objectives; and

(6) participants demonstrate their attainment of the learning outcomes, (i.e., various methods can be used such as: questions, discussions, written oral exercises, problems, case studies, etc.); and

(7) programs approved by the APTA will be automatically accepted by the board.

C. Final determination of values of continuing education will remain at the discretion of the board.

D. Programs considered appropriate for continuing education, include, but are not limited to those listed below.

(1) **Live programs**, (i.e., various programs such as workshops, in-service two-way video conferencing, etc.) awarded by providing the board with the following:

(a) certificate of completion;

(b) course schedule;

(c) learning outcomes (objectives); and

(d) name of instructor and credentials; [~~up to thirty (30)~~ 30 contact hours will be accepted).

(2) In the case of **university or college courses** taken for credit, provide the board with:

(a) name of course;

(b) number of course credit hours;

(c) inclusive dates of attendance;

(d) name of instructor and instructor's credentials;

(e) published course description from college or university;

(f) completed transcript or grade report with a passing grade of "C" or better;

(g) name of institution; and

(h) brief course summary demonstrating the course's relationship to physical therapy; (maximum ~~thirty (30)~~ contact hours are awarded for each [~~3~~] three-credit course).

(3) Physician **in-service programs** or regular physical therapy staff in-service programs, provide the board with:

(a) name of program;

(b) number of hours spent in program;

(c) inclusive dates of attendance;

(d) name of instructor or supervisor of program; documentation of instructor background and expertise;

(e) name of institution; and

(f) brief course summary demonstrating the course's relationship to physical therapy; (maximum allowed biennially is [~~thirty (30)~~] 30 contact hours).

(4) **Management courses:** (maximum allowed biennially is [~~fifteen~~] 15 contact hours.)

(5) **Preparation or presentation of a workshop/in-service**, awarded on a case by case basis for any one given presentation, by providing the board the following:

(a) proof of preparation may be an outline, copy of handouts, copy of ~~overheads or~~

~~transparencies~~, and

(b) a copy of the agenda showing name of licensee as presenter; (maximum allowed biennially is fifteen (15) contact hours);

(c) contact hours for the presenter will be calculated at three (3) times the number of hours of audience participation (e.g., a two hour workshop equals 6 hours for the presenter).

(6) **Certificate courses for an advanced specialty**, provide the board a certificate of completion signed by the program sponsor. (Maximum allowed biennially is thirty (30) contact hours.)

(7) **Reading journal articles**, provide the board the following:

(a) title of article and journal;

(b) author and author's credentials'; and

(c) summary (subject of article, what was learned, and how it relates to the physical therapy scope of practice or the licensee's position; (maximum allowed per article is one-half (.5) contact hour); (maximum allowed biennially is fifteen (15) contact hours).

(8) **Conducting physical therapy research**, provide the board the following:

(a) title and description of research project, including brief timeline;

(b) names of other persons involved in project (i.e., co-investigators or supervisors);

(c) a brief statement indicating how participation in the project is related to the licensee's present or future position in the field of physical therapy;

(d) a brief statement indicating how participation in the project is benefiting the applicant's therapy skills or research skills; and

(e) provide a copy of the research report (if project has been completed); (if report is incomplete), credit will be allowed by providing the listed information or by receipt of the college transcript; (the board will determine the number of contact hours allowed); (maximum allowed biennially is thirty (30) contact hours).

(9) **Home study courses**, awarded by providing the board with the following:

(a) certificate of completion;

(b) course schedule;

(c) learning outcomes (objectives); and

(d) name of instructor and credentials; (maximum allowed biennially is thirty (30) contact hours).

(10) **Internet courses**, awarded by providing the board with the following:

(a) certificate of completion;

(b) course schedule;

(c) learning outcomes (objectives); and

(d) name of instructor and credentials; (maximum allowed biennially is thirty (30) contact hours).

(11) **Alternative medicine seminars**, provide the board a letter from the licensee explaining how the course relates to the physical therapy scope of practice. The board will approve these courses on a case by case basis.

(12) **Courses where certificates of attendance are not issued**, provide the board the following:

(a) a canceled check for the course registration fee (submit copy of front and back of check);

(b) proof of transportation (i.e., copy of plane ticket and hotel receipt); and

(c) list of courses attended and hours attended (i.e., copy descriptions of courses and hours from program agenda).

(13) **Credit for supervising a student in clinical education**, provide the board with a copy of the cover and signature page (with student's name blacked out to maintain confidentiality) of the student evaluation completed by the licensee-supervisor. One (1) continuing education contact hour may be approved for each forty (40) contact hours of supervision in clinical education. The maximum number of continuing education contact hours approved for supervision in clinical education is fifteen(15) contact hours biennially.

(14) **Residencies, fellowships, and examinations.**

(a) Successful completion of a specialty examination may be submitted for continuing education consideration. A list of the specialty examinations that qualify for continuing education will be maintained by the board. The maximum number of continuing education contact hours is thirty (30) biennially.

(b) Successful completion of an American physical therapy association (APTA)

credentialed residency or fellowship program may be submitted for continuing education consideration. The maximum number of continuing education contact hours is thirty (30) biennially.

(c) Successful completion of an examination of the federation of state boards of physical therapy pertaining to continued competence may be submitted for continuing education consideration. The maximum number of continuing education contact hours is thirty (30) biennially.

(15) **The American physical therapy association code of ethics for physical therapists and standards of ethical conduct for physical therapist assistants**, online course or live program, awarded by providing the board with the following:

- (a) certificate of completion;
- (b) course schedule;
- (c) learning outcomes (objectives); and
- (d) name of instructor and credentials; (the maximum number of contact hours

awarded will be accepted).

(16) **Education presentations on state and federal legislative updates, and APTA house of delegates at NMAPTA business meetings**, awarded by providing the board with the following:

- (a) proof of attendance;
- (b) outline of agenda; and
- (c) name of instructor and instructor's credentials; (maximum allowed biennially is

eight (8) contact hours or four (4) contact hours annually).

E. **Ineligible activities** include, but are not limited to:

- (1) orientation and in-service programs dealing with organizational structures, processes, or procedures;
- (2) meetings for purposes of policy making;
- (3) annual association, chapter, district, or organizational and non-educational meetings;
- (4) entertainment or recreational meetings or activities;
- (5) committee meetings, holding of offices, serving as an organizational delegate;
- (6) visiting exhibits; and
- (7) CPR education.

[16.20.8.12 NMAC - Rn , 16.20.8.9 NMAC, 8/1/2009; A, 8/16/2010; A, 9/30/2014]

HISTORY of 16.20.8 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with State Records and Archives:

- Rule 80-1, Continuing Education, filed 4/18/1980
- Rule 80-2, New Rules and Regulations (Continuing Education), filed 4/18/1980
- Rule 83-8, Continuing Education, filed 3/29/1983
- Rule 88-7, Continuing Education, filed 2/19/1988
- Rule 89-7, Continuing Education, filed 8/1/1989
- Rule 91-7, Continuing Education, filed 5/8/1991
- Rule 92-7, Continuing Education, filed 9/3/1992
- Rule 92-7, Continuing Education, filed 1/28/1993
- Rule 89-11, Preferred Provider of Continuing Education Units, filed 8/1/1989
- Rule 91-11, Preferred Provider of Continuing Education Units, filed 5/8/1991
- Rule 92-11, Preferred Provider of Continuing Education Units, filed 9/3/1992.

History of the Repealed Material: [RESERVED]

Other History:

- Rule 92-7, Continuing Education (filed 1/28/1993) renumbered, reformatted, amended and replaced by 16 NMAC 20.8, Continuing Education, effective 10/15/1997.
- 16 NMAC 20.8, Continuing Education (filed 9/30/1997) renumbered, reformatted, amended and replaced by 16.20.8 NMAC, Continuing Education, effective 8/31/2000.