

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 22 PSYCHOLOGISTS AND PSYCHOLOGIST ASSOCIATES
PART 9 CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS

16.22.9.1 ISSUING AGENCY: Regulation and Licensing Department, State Board of Psychologist Examiners
[16.22.9.1 NMAC - Rp, 16.22.9.1 NMAC, 09/16/10]

16.22.9.2 SCOPE: The provisions of Part 9 apply to psychologists and psychologist associates licensed to practice in New Mexico.
[16.22.9.2 NMAC - Rp, 16.22.9.2 NMAC, 09/16/10]

16.22.9.3 STATUTORY AUTHORITY: This part is adopted pursuant to the Professional Psychologist Examiners Act, Section 61-9-6, 61-9-7.
[16.22.9.3 NMAC - Rp, 16.22.9.3 NMAC, 09/16/10]

16.22.9.4 DURATION: Permanent.
[16.22.9.4 NMAC - Rp, 16.22.9.4 NMAC, 09/16/10]

16.22.9.5 EFFECTIVE DATE: September 16, 2010, unless a later date is cited at the end of a section.
[16.22.9.5 NMAC - Rp, 16.22.9.5 NMAC, 09/16/10]

16.22.9.6 OBJECTIVE: This part establishes criteria for continuing professional education for psychologists and psychologist associates licensed in New Mexico.
[16.22.9.6 NMAC - Rp, 16.22.9.6 NMAC, 09/16/10]

16.22.9.7 DEFINITIONS: [RESERVED]
[Refer to 16.22.1.7 NMAC]

16.22.9.8 REQUIRED HOURS:

A. Purpose. The purpose of continuing professional education (CPE) requirements for psychologists is to ensure that licensees update and advance their skills such that the public shall benefit from the most current and effective standards of professional practice. To further the goal of public benefit, all psychologists are required to fulfill a portion of their CPE in the areas of ethics and cultural diversity as related to the profession of psychology.

B. Required hours. The board requires 40 hours of CPE for licensed psychologists and psychologist associates during every two years. For conditional prescribing and unrestricted prescribing psychologists the board requires 60 hours of CPE every two years.

C. Program types. CPE credits are divided into two categories depending on the design and approval process for the experience and on the monitoring of the psychologist. Psychologists must obtain at least 15 of their 40 hours every two years in category I, which is the most stringent in terms of presentation standards and monitoring. Any additional hours to complete the 40 hour requirement may be from category I or category II.

(1) Cultural Diversity: a minimum of two hours every two years from either category must be in the area of cultural diversity or health disparities as described in 16.22.9.9 NMAC.

(2) Equity and inclusion: a minimum of four hours every two years from either category I or II must be on the topic of race, ethnicity, systemic racism, structural inequality, poverty or the intersection of variables that impact marginalized communities as described in 16.22.9.9 NMAC.

(3) Ethics: a minimum of four hours every two years from either category must be in the area of ethics as described in 16.22.9.9 NMAC.

(4) Psychopharmacology or psychopharmacotherapy: for conditional prescribing or unrestricted prescribing psychologists, 40 hours every two years out of the 60 hour CPE requirement must be in the area of psychopharmacology or psychopharmacotherapy.

D. Criteria. The board accepts the criteria of the national professional organizations listed in 16.22.9.9 NMAC in accrediting continuing education hours. The following criteria adapted from *Standards and Criteria for Approval of Sponsors of Continuing Education for Psychologists* (American Psychological Association, 2009) shall apply to New Mexico accrediting organizations when approving continuing education requests.

(1) Sponsors must be prepared to demonstrate that information and programs presented are based on methodical, theoretical, research, or practice knowledge base. This requirement must be met by at least one of the following:

(a) Program content has obtained credibility, as demonstrated by the involvement of the broader psychological practice, education, and science communities in studying or applying the findings, procedures, practices, or theoretical concepts.

(b) Program content has been supported using established research procedures and scientific scrutiny.

(c) Program content has peer reviewed, published support beyond those publications and other types of communications devoted primarily to the promotion of the approach.

(d) Program content is related to ethical, legal, statutory or regulatory policies, guidelines, and standards that impact psychology.

(2) Sponsors must select instructors with expertise in the program content and who are competent to teach this program content at a level that builds upon a completed doctoral program in psychology.

(3) Sponsors are required to ensure that instructors, during each CE presentation, include statements that describe the accuracy and utility of the materials presented, the basis of such statements, the limitations of the content being taught and the severe and the most common risks.

(4) Sponsors must offer program content that builds upon the foundation of a completed doctoral program in psychology.

(5) Sponsors must be prepared to demonstrate that content is relevant to psychological practice, education, or science.

(6) Sponsors must clearly describe any commercial support for the CE program, presentation. Or instructor to program participants at the time the CE program begins. Any other relationship that could be reasonably construed as a conflict of interest also must be disclosed.

[16.22.9.8 NMAC - Rp, 16.22.9.9 NMAC, 9/16/2010; A, 04/30/2015; A, 02/10/2022]

16.22.9.9 CPE PROGRAM CATEGORIES:

A. Category I shall consist of formally designed programs presented in a group setting with monitored attendance. The following types of programs qualify as category I:

(1) Formally organized workshops, seminars, grand rounds or classes aimed at the graduate or professional level which maintain an attendance roster and are approved by or under the auspices of an accredited institution of higher education offering graduate instruction.

(2) Workshops, seminars, or classes which maintain an attendance roster and are certified or recognized by one of the following organizations:

(a) the American psychological association;

(b) the American psychiatric association;

(c) the American medical association;

(d) the American association for marriage and family therapy;

(e) the American counseling association;

(f) the international congress of psychology;

(g) the national association of social workers;

(h) the New Mexico psychological association;

(i) the national association of school psychologists; or

(j) the New Mexico state board of psychologist examiners.

(3) Formal graduate level college or university courses relevant to scientific or professional psychological activities, including but not limited to neuropsychology, forensic psychology, development, language skills, statistics, and cultural knowledge, as deemed satisfactory to the board. Five CPE credits will be granted for each university semester credit listed for the course. Documentation may be provided by college transcript showing credit obtained or letter from the instructor documenting hours of attendance for audited courses.

(4) Participation in the board will be granted hour-for-hour CPE credit up to 20 hours. These hours satisfy the ethics CPE requirement.

(5) Achieving advanced certification, diplomate status or specialization in a field of psychology or psychopharmacology may be granted up to 15 CPE credits if approved by one of the organizations designated in Paragraph (2) of Subsection A of 16.22.9.9 NMAC using their own criteria or the criteria of Paragraph (2) of Subsection D of 16.22.9.8 NMAC.

(6) Online education qualifies as category I if:

- (a) it meets the above criteria;
- (b) attendance is verified by the instructor's organization, e.g., electronically

monitoring when the learner is online.

B. Category II shall consist of high quality and relevant experiences outside the format of formal presentations and classes. The following types of programs qualify as category II:

(1) Non-supervised independent study or home study programs, including online programs, conducted by accrediting agencies listed in Paragraph (2) of Subsection A of 16.22.9.9 NMAC will be granted hour-for-hour CPE credit.

(2) Symposia or presentations at annual conventions of national or regional professional organizations in psychology (for example, American psychological association, and Rocky Mountain psychological association) or a closely related discipline may be claimed for CPE credit. Four hours may be claimed for the first time each scientific or professional presentation was made; two hours may be claimed for a poster session.

(3) Publications related to the practice of psychology: CPE hours may be claimed for each publication of an article in a professional journal or book chapter authored by the licensee according to author listing:

- (a) eight hours for the first author;
- (b) six hours for the second author;
- (c) four hours for the third author; and
- (d) two hours for any subsequent author.

(4) Books related to the practice of psychology: Authoring or editing a book may be claimed for fifteen hours.

(5) A presenter providing continuing education or teacher of a graduate course that qualifies as a category I program may claim hour per hour credit up to eight CPE credit hours for the first time the presentation is made or the course is taught. New material in an existing course or program may be claimed hour per hour up to eight hours the first time it is presented.

(6) Participation in the New Mexico psychological association executive board, or formal offices or committees established by the board, the New Mexico psychological association, the American psychological association, or other professional organizations, if the tasks are clearly related to issues of ethics, professional standards, or practice-related skills shall be granted CPE credit of one hour for every two hours of participation up to 20 hours.

C. Cultural diversity shall consist of the following types of programs: A course containing attention to cultural diversity or health disparities, as specifically noted in the title, description of objectives, or curriculum of the presentation, symposium, workshop, seminar, or course. A course in cultural diversity focuses on increasing scientific understanding and training in regard to those aspects that pertain to but are not limited to culture, class, race/ethnicity, gender, sexual orientation, aging and disability. The aim of such courses is the promotion of culturally responsive/competent models for the delivery of psychological services. The topic of the presentation, symposium, workshop, seminar, or course need not be on cultural diversity; however one of the objectives or the description of topics covered must clearly indicate attention to health disparities, race, ethnicity, systemic racism, structural inequality, poverty or cultural diversity, as deemed satisfactory to the board. Two hours of cultural diversity CPE from either category I or II are required for each two year reporting period.

D. Equity and Inclusion shall consist of the following types of programs: A course containing attention to the topic of race, ethnicity, systemic racism, structural inequality, poverty, or the intersection with other variables that impact marginalized communities. A course on these topics must be more than a history course, and should focus on increasing scientific understanding and training that improves clinical understanding of those aspects that pertain to but are not limited to systemic racism, structural inequality, poverty or the intersection with variables that impact marginalized communities. The aim of such courses is the promotion of culturally responsive/competent models for the delivery of psychological services. In recognition of the unique racial/ethnic demographic composition of the population of New Mexico, four hours of equity and inclusion CPE from either category I or II are required each two year reporting period.

E. Ethics shall consist of the following types of programs: A course containing attention to the ethics of practice related to psychology. The topic of the presentation, symposium, workshop, seminar, or course need be on ethics and the objectives or the description of topics covered must clearly indicate attention to ethics, as deemed satisfactory to the board. Four hours of ethics CPE from either category I or II are required for each two year period.

F. Health disparities are preventable differences in the burden of disease, injury, violence, or opportunities to achieve optimal health that are experienced by socially disadvantaged populations. Populations can

be defined by factors such as race or ethnicity, gender, education or income, disability, geographic location (e.g., rural or urban), or sexual orientation. Health disparities are inequitable and are directly related to the historical and current unequal distribution of social, political, economic, and environmental resources.

[16.22.9.9 NMAC - Rp, 16.22.9.8 NMAC, 9/16/2010; A, 4/30/2015; A, 02/10/2022]

16.22.9.10 CARRY-OVER HOURS; EXEMPTIONS; TIME EXTENSIONS

A. Carry-over hours. No hours shall be carried over from one compliance-reporting period to another compliance reporting period.

B. Exemptions and extensions of time.

(1) Licenses on retirement or inactive status as provided in Part 10 are not exempt from CPE requirements of this Part 9.

(2) Extensions of time for completing and reporting CPE requirements shall be granted for good cause only upon a written request filed with the board by the licensee prior to the date for compliance. Unless extenuating circumstances beyond the control of the licensee cause extraordinary hardship, the extension of time for completing and reporting CPE requirements shall not exceed one (1) year. The board may grant one extension of time of up to sixty (60) calendar days for filing a request for the extension of time upon a finding of good cause
[16.22.9.10 NMAC - Rp, 16.22.9.10 NMAC, 09/16/10]

16.22.9.11 COMPLIANCE: FAILURE TO COMPLY AND LICENSE RENEWAL

A. Compliance reporting requirements. Every two (2) years during the designated annual renewal period, each licensee shall submit an attestation that he has completed the CPE requirements. The board reserves the right to audit any licensee to submit evidence or documentation of the CPE credits (e.g. course or program certificate of training, transcript, course or workshop brochures or published descriptions, copies of registration forms, payment invoices or receipts, specific evidence of attendance, etc.). Therefore, it is the responsibility of each licensee to establish and maintain detailed records of CPE compliance for two (2) years after the reporting period. The board shall not allow continuing education credit for personal psychotherapy, workshops for personal growth, the provision of paid or volunteer services to professional associations other than APA or statewide associations of licensed psychologists in New Mexico, foreign language courses, computer training, office management, or practice building.

B. Failure to comply. Failure to complete or report continuing professional education requirements as provided in this part is grounds for withholding renewal of a license or for suspension or revocation of a license as provided in the act. Fraud or deception in reporting CPE credit is a separate violation of the code and is grounds for withholding renewal of a license or for suspension or revocation of a license as provided in the act.

[16.22.9.11 NMAC - Rp, 16.22.9.11 NMAC, 09/16/10]

16.22.9.12 REQUIREMENTS FOR NEWLY LICENSED INDIVIDUALS:

A. No CPE requirements until first renewal. Individuals licensed for the first time in New Mexico as psychologists or psychologist associates shall renew their license for two (2) years at the first renewal period following the issuing of their license. They shall have no CPE requirement during this initial licensing period from issuance to renewal, but shall complete cultural awareness coursework prior to their first renewal.

B. Cultural awareness coursework. Newly licensed psychologists and psychologist associates with restricted and unrestricted licenses shall complete eight (8) hours of cultural awareness coursework approved by the board prior to their first license renewal. Cultural awareness coursework shall be courses designed to provide knowledge and awareness of the cultures of New Mexico. Course titles and descriptions must make clear a breadth of cultural awareness training and the specific content of New Mexico cultures.

[16.22.9.12 NMAC - N, 04/30/15]

HISTORY OF 16.22.9 NMAC:

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

SBPE 9*, Renewal of Certificate filed 11/15/79;

Rule 12, Renewal of Certificate filed 11/1/83;

Rule 12, Renewal of Certificate filed 3/19/84;

Rule 12, Renewal of Certificate filed 4/19/85;

Rule 12, Renewal of Certificate filed 2/9/87;

NMBPE Rule 8 Renewal of License filed 12/28/89;

NMBPE Rule 8, Renewal of License filed 8/28/90;
Rule No. 8, Renewal of License filed 4/24/95.

History of Repealed Material:

16 NMAC 22.5, Licensure Renewal, filed 11/14/97 - Repealed effective 4/16/2000.

16.22.9 NMAC, Continuing Professional Education Requirements, filed 3/17/2000 - Repealed effective 11/15/2006.

16.22.9 NMAC, Continuing Professional Education Requirements, filed 10-16-2006 - Repealed effective 9/16/2010.