

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 26 HEARING, SPEECH AND AUDIOLOGY PRACTITIONERS**  
**PART 5 CONTINUING EDUCATION**

**16.26.5.1 ISSUING AGENCY:** New Mexico Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Board.

[16.26.5.1 NMAC - Rp, 16.26.5.1 NMAC, XX/XX/XXXX]

**16.26.5.2 SCOPE:** All licensed individuals wishing to renew their license must comply with the continuing education prerequisite of continuing education in order to retain and annually renew their speech-language pathology, audiology or hearing aid dispensing license.

[16.26.5.2 NMAC - Rp, 16.26.5.2 NMAC, XX/XX/XXXX]

**16.26.5.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act, Sections 61-14B-1 to 61-14B-25 NMSA 1978 and Uniform Licensing Act, Sections 61-1-1 to 61-1-33 NMSA 1978.

[16.26.5.3 NMAC - Rp, 16.26.5.3 NMAC, XX/XX/XXXX]

**16.26.5.4 DURATION:** Permanent.

[16.26.5.4 NMAC - Rp, 16.26.5.4 NMAC, XX/XX/XXXX]

**16.26.5.5 EFFECTIVE DATE:** November 9, 1996, unless a later date is cited at the end of a section.

[16.26.5.5 NMAC - Rp, 16.26.5.5 NMAC, XX/XX/XXXX]

**16.26.5.6 OBJECTIVE:** The objective of Part 5 is to outline continuing education requirements, criteria and procedures.

[16.26.5.6 NMAC - Rp, 16.26.5.6 NMAC, XX/XX/XXXX]

**16.26.5.7 DEFINITIONS:** [RESERVED]

**16.26.5.8 CONTINUING EDUCATION PHILOSOPHY:** Continuing education is one of the most important responsibilities of the speech-language pathologist, audiologist, and hearing aid dispenser. It is also a life-long process. A diversity of information related to speech-language pathology, audiology, and hearing aid dispensing regarding changing requirements, laws, and trends in the field is recommended to enhance the professional skills and development the speech-language pathologist, audiologist, and hearing aid dispenser. The responsibility of continuing education rests solely with the speech-language pathologist, audiologist, or hearing aid dispenser.

[16.26.5.8 NMAC - Rp, 16.26.5.8 NMAC, XX/XX/XXXX]

**16.26.5.9 CONTINUING EDUCATION REQUIREMENTS OF LICENSEES:**

**A.** The board requires 20 hours of continuing education every two years. These may be distributed over the two year period, or they may all be obtained in one year. These continuing education hours must be in the field of licensure, or in a related field if justified to the board office. The board office will consult with the board to resolve questions as to appropriate continuing education hours. Renewal of a license shall be contingent upon the fulfillment of the continuing education standards and the supplying of evidence thereof by the licensee. The board shall be the final authority on acceptance of any educational activity submitted by a licensee to meet the continuing education requirement.

**B.** The number of continuing education hours required for renewal of a license may be prorated by the board office.

**(1)** A licensed individual whose next renewal date occurs less than 12 months after the license is issued will be required to earn continuing education hours equivalent to one hour per month each month the license is issued or reinstated to the last day of the renewal month up to a maximum of 10 clock hours.

**(2)** Any approved continuing education hours accrued prior to receiving a license during the year the license is issued can be applied toward the continuing education requirements.

C. Any person licensed as both a speech-language pathologist and an audiologist or hearing aid dispenser must fulfill the requirements of 20 clock hours of continuing education every two years in each field in which the licensee is licensed.

[16.26.5.9 NMAC - Rp, 16.26.5.9 NMAC, XX/XX/XXXX]

**16.26.5.10 CRITERIA APPLYING TO OFFER CONTINUING EDUCATION OPPORTUNITY:**

A. The board or board office will approve professional education activities sponsored or approved by a national or state professional association of speech-language pathologists, audiologists and hearing aid dispensers.

B. All other proposed educational programs or seminars must be submitted to the board office prior to approval.

C. Requests must be submitted in writing with appropriate fees to the board office at least 60 days prior to the program. The board office shall give written notice of the approval or disapproval of the educational program or seminar within 30 days of receiving the application.

D. The individual/organization requesting approval of an educational seminar or course must provide the board office with the following material:

- (1) name of the seminar or course;
- (2) sponsor;
- (3) objective of the seminar or course;
- (4) format and subjects of seminar or course;
- (5) number of clock hours of study or continuing education units;
- (6) method of verification of attendance or completion of self study program; and
- (7) name and qualifications of faculty or institution material.

[16.26.5.10 NMAC - Rp, 16.26.5.10 NMAC, XX/XX/XXXX]

**16.26.5.11 CONTINUING EDUCATION VERIFICATION:** The board shall audit a percentage of renewal applications each year to verify the continuing education requirement. The licensee should maintain a file that includes the continuing education course documentation up to two years.

A. The Board does not maintain a list of continuing education providers. The licensee must determine where to obtain the required continuing education.

~~A-B.~~ If a NOTICE OF AUDIT letter is received with the annual renewal form, evidence of continuing education hours earned during the last two years must be submitted to the board as requested by this rule.

~~B-C.~~ 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 all documentation of attendance and agendas should be retained by the licensee for a minimum of two years immediately preceding the current renewal.

~~C-D.~~ 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.

~~D-E.~~ Beginning January 30, 2009 the board will no longer allow carry over hours.

F. Continuing education taken prior to the renewal period will not be accepted.

G. Each licensee will maintain documentation of all completed continuing education, including contact information for the provider of each course.

H. If all continuing education requirements are not met by the expiration date of the license or granted extension date, the licensee shall be subject to disciplinary action:

(1) renewing licensees will be randomly selected for audit; then board may audit continuing education records at any time before the next scheduled license renewal or when deemed appropriate by the board;

(2) the licensee will be notified by email when selected for audit and will be given a deadline to submit the continuing education proof of completion;

(3) Failure to respond to request by the Board may be subject to a fine and other penalties determined appropriate by the board;

(4) The Board may, at its discretion, accept a sworn affidavit of evidence of certificate/license holder compliance with continuing education requirements in support of renewal applications in lieu of documented evidence of such.

I. An individual who submits records or a sworn affidavit on their renewal application to demonstrate compliance with continuing education requirements but is found to be non-compliant during a random audit will be subject to fines and other penalties determined appropriate by the board.

[16.26.5.11 NMAC - Rp, 16.26.5.11 NMAC, XX/XX/XXXX]

**16.26.5.12 [RESERVED]**  
[16.26.5.12 NMAC - Rp, 16.26.5.12 NMAC, XX/XX/XXXX]

**HISTORY OF 16.26.5 NMAC:**

HADF 71-1, Rules and Regulations, filed 12/21/1971.  
HADF 77-1, Rules and Regulations, filed 5/23/1977.  
HED-80-1 (HSD), Regulations Governing the Hearing Aid Act, filed 2/5/1980.  
HED 82-3, Regulations Governing the Hearing Aid Act, filed 3/18/1982.  
HED 83-1 (HSD), Regulations Governing the Hearing Aid Act, filed 4/5/1983.  
BCD 87-2, Regulations Governing the Hearing Aid Act, filed 11/10/1987.  
BCD 88-1, Regulations Governing the Hearing Aid Act, filed 3/8/1988.  
HED-81-6 (HSD), Regulations Governing the Speech-Language Pathology and Audiology Act, filed 8/4/1981.  
HED-82-2, Regulations Governing the Speech-Language Pathology and Audiology Act, filed 3/17/1982.  
HED-83-2 (HSD), Regulations Governing the Speech-Language Pathology and Audiology Act, filed 4/5/1983.  
HED 86-13 (HSD), Regulations Governing the Speech-Language Pathology and Audiology Act, filed 1/7/1987.  
BCD 88-2, Regulations Governing the Speech-Language Pathology and Audiology Act, filed 3/11/1988.  
Rule 91-7, Continuing Education, filed 10/25/1991.

**History of Repealed Material: [RESERVED]**

**OTHER HISTORY OF 16.26.5 NMAC:**

16.26.5 NMAC – Continuing Education, filed 11/29/2008 was repealed and replaced by 16.26.5 NMAC – Continuing Education, effective XX/XX/XXXX.