

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 64 FUNERAL HOMES AND DISPOSERS
PART 6 CONTINUING EDUCATION

16.64.6.1 ISSUING AGENCY: New Mexico board of funeral services.
[6/15/1996; 16.64.6.1 NMAC - Rn & A, 16 NMAC 64.6.1, 9/15/2001; A, 8/8/2012]

16.64.6.2 SCOPE: 16.64.6 NMAC applies to licensed funeral service practitioners, associate funeral service practitioners, assistant funeral service practitioners, direct disposers, and funeral service interns under general supervision.
[6/15/1996; 16.64.6.2 NMAC - Rn & A, 16 NMAC 64.6.2, 9/15/2001]

16.64.6.3 STATUTORY AUTHORITY: 16.64.6 NMAC is adopted pursuant to the Funeral Services Act, Sections 61-32-2, 61-32-6, 61-32-7, 61-32-21 and 61-32-22 NMSA 1978.
[6/15/1996; 16.64.6.3 NMAC - Rn, 16 NMAC 64.6.3, 9/15/2001; A, 8/8/2012]

16.64.6.4 DURATION: Permanent.
[6/15/1996; 16.64.6.4 NMAC - Rn, 16 NMAC 64.6.4, 9/15/2001]

16.64.6.5 EFFECTIVE DATE: September 26, 1993, unless a different date is cited at the end of a section.
[6/15/1996; 16.64.6.5 NMAC - Rn & A, 16 NMAC 64.6.5, 9/15/2001]

16.64.6.6 OBJECTIVE: 16.64.6 NMAC is to establish the continuing education requirements and procedures, to ensure that licensees provide the highest quality professional service. Therefore licensees should engage in education activities that foster this objective.
[6/15/1996; 16.64.6.6 NMAC - Rn, 16 NMAC 64.6.6, 9/15/2001]

16.64.6.7 DEFINITIONS:

A. “Continuing education” means that education which is obtained by a licensee to develop, maintain, improve or expand skills and knowledge. This education may be obtained through formal or informal education processes, school study, research and participation in professional, technical and occupational societies and by other similar means as authorized by the board.

B. “Approved provider” means any provider approved by the board or its designee.

C. “Renewal period” means July 1st through June 30th.
[9/14/1988...9/26/1993; 16.64.6.7 NMAC - Rn & A, 16 NMAC 64.6.7, 9/15/2001]

16.64.6.8 GENERAL PROVISIONS:

A. The board does not maintain a list of continuing education providers. The licensee must determine where to obtain the required continuing education. Requests for approval of continuing education activities shall be submitted to the board on a form prescribed by the board. No license renewal shall be issued without board action if there exists any question by the board administrator as to the acceptance of a particular continuing education activity. The burden shall be on the licensee to ascertain from the board if a continuing education activity is acceptable, and to provide proof of completion of the continuing education activity for the renewal period.

B. As a condition for license renewal, each licensee pursuant to the Funeral Services Act must complete the required hours of continuing education.

(1) continuing education must be completed within the renewal date;

(2) excess hours cannot be carried over to future renewals;

(3) continuing education taken prior to the renewal period will not be accepted;

(4) each licensee will maintain documentation of all completed continuing education, including contact information for the provider of each course.

(5) if all continuing education requirements are not met by the expiration date of the license or granted extensions date, the license shall be subject to disciplinary action.

[B-]C. Ten hours of continuing education, including two hours of ethics, shall equal one continuing education unit (CEU).

[C-]D. Regardless of what part of the year a person becomes licensed, there shall be no reduction or pro-

rating of continuing education hours required for the next renewal period; provided however, that any person who was first licensed during the same renewal period as he or she graduated from an accredited school of funeral service education shall not be required to earn continuing education for the next renewal.

[D.]E. Any person who holds more than one license issued by the board may use the same continuing education hours for renewal of both licenses without having to earn separate continuing education hours for each license renewal.

[9/14/1988...9/26/1993; 16.64.6.8 NMAC - Rn & A, 16 NMAC 64.6.8, 9/15/2001; A, 4/2/2010; A, 11/1/2019]

16.64.6.9 CONTINUING EDUCATION: The board may, subject to Subsection A of 16.64.6.10 NMAC, recognize continuing education in the following areas related to funeral services.

- A.** Academic activities:
 - (1) completion of courses offered by accredited institutions of higher education; and
 - (2) completion of home study courses offered by approved sponsors of such courses.
- B.** Professional activities:
 - (1) attendance at workshops, conferences, seminars and institutions of approved funeral service educational opportunities;
 - (2) service on a board of directors of a funeral service organization, including the New Mexico board of funeral services; and
 - (3) published literary contributions.
- C.** Public education and service:
 - (1) conducting or participating as an instructor in school presentations and other related workshops, conferences, seminars and institutions;
 - (2) speeches on funeral service before religious or civic organizations; and
 - (3) attendance at meetings of the board.
- D.** Audit process: The board will audit continuing education to verify compliance, pursuant to the board's rules and act.
 - (1) renewing licensees will be randomly selected for audit;
 - (2) the board may audit continuing education records at any time before the next scheduled license renewal or when deemed appropriate by the board;
 - (3) the licensee will be notified by email when selected for audit and will be given 30 days to submit the continuing education proof of completion;
 - (4) failure to respond to request by the Board may be subject to fines and other penalties determined appropriate by the board;
 - (5) the board may, in its discretion, accept a sworn affidavit that a certificate/license holder is in compliance with continuing education requirements for renewal in the event documented evidence of compliance cannot be provided.
 - (6) reciprocity and reinstatement applications shall require documented evidence of compliance with continuing education provisions.
 - (7) 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 an audit will be subject to fines and other penalties determined appropriate by the board.

[9/14/1988...9/26/1993; 16.64.6.9 NMAC - Rn & A, 16 NMAC 64.6.9, 9/15/2001; A, 8/8/2012] [Replace and repeal XXXXXXXX]

16.64.6.10 LIMITATIONS:

A. The amount of continuing education credit the board will recognize for any activity will be at the sole discretion of the board, provided however, that the board will grant credit for activities offered by any approved provider of continuing education subject to the limitation imposed in Subsection B of 16.64.6.10 NMAC.

B. No more than four hours {4 CEU} of continuing education credit shall be granted in any renewal period for activities as outlined in Subsection C of 16.64.6.9 NMAC.

C. Upon application for renewal of a license, the applicant shall furnish evidence of having completed continuing education hours to the following extent.

- (1) Funeral service practitioners shall be required to complete 10 hours, two of which must

be in ethics for a total of {1.0 CEU}.

(2) Funeral service interns who are allowed to practice under the general supervision of a funeral service practitioner in any category shall be required to complete 10 hours, two of which must be in ethics for a total of {1.0 CEU}.

(3) Direct disposers shall be required to complete 10 hours, two of which must be in ethics for a total of {1.0 CEU}.

[11/21/1986...9/26/1993; 16.64.6.10 NMAC - Rn & A, 16 NMAC 64.6.10, 9/15/2001; A, 8/8/2012; A, 11/1/2019]

HISTORY OF 16.64.6 NMAC:

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

Regulation No. 6, Continuing Education, 8/15/1988.

Regulation No. 6, Continuing Education, 8/28/1990.

Regulation 6, Continuing Education, 4/15/1991.

Reg. 10, Continuing Education, 8/27/1993.

History of Repealed Material: [RESERVED]