

NMAC**Transmittal Form**

Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: New ☐ Amendment ☒ Repeal ☐ Emergency ☐ Renumber ☐ (ALD Use) Recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment): Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes ☐ No ☒ Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes ☐ No ☐ Public domain ☐

Specific statutory or other authority authorizing rulemaking:

The Chiropractic Physician Practice Act ("Act"), NMSA 1978 §§ 61-4-1 through -17. The Act authorizes the Board to "promulgate and file, in accordance with the State Rules Act [Chapter 14, Article 4 NMSA 1978], all rules necessary for the implementation and enforcement of the provisions of the Chiropractic Physician Practice Act..." NMSA 1978 § 61-4-3(F). The Act further authorizes the Board to "establish by rule mandatory continuing education requirements for chiropractic physicians and certified advanced practice chiropractic physicians licensed in this state." NMSA 1978 § 61-4-3(G).

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

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See attached statement

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Jen Rodriguez

Check if authority has been delegated

☒

Title:

Acting Board Administrator & Division Counsel

Signature: (BLACK ink only OR Digital Signature)

Jen Rodriguez

Digitally signed by Jen Rodriguez
Date: 2026.01.14 17:08:19 -07'00'

Date signed:

1/14/2026

BEFORE THE CHIROPRACTIC BOARD
FOR THE STATE OF NEW MEXICO

IN RE:

RULEMAKING PROCEEDING FOR THE
AMENDMENTS TO 16.4.10 NMAC- Continuing Education
AMENDMENTS TO 16.4.22 NMAC- Fees

CONCISE EXPLANATORY STATEMENT

The New Mexico Chiropractic Board (the “Board”) hereby adopts rules that amends the Board’s administrative code, including Part 10 Continuing Education and Part 22 Fees. The published rules are codified in 16.4.10 NMAC and 16.4.22 NMAC.

(1) Statutory Authority for Rule Promulgation:

The Chiropractic Physician Practice Act (“Act”), NMSA 1978 §§ 61-4-1 through -17. The Act authorizes the Board to “promulgate and file, in accordance with the State Rules Act [Chapter 14, Article 4 NMSA 1978], all rules necessary for the implementation and enforcement of the provisions of the Chiropractic Physician Practice Act...” NMSA 1978 § 61-4-3(F). The Act further authorizes the Board to “establish by rule mandatory continuing education requirements for chiropractic physicians and certified advanced practice chiropractic physicians licensed in this state.” NMSA 1978 § 61-4-3(G).

(2) Effective Date of Rule:

Date of publication in the New Mexico Register.

(3) Date of Adoption of Rule:

November 24, 2025

(4) Date of Meeting Approving Rule:

November 21, 2025

(5) Reasons for Adopting Rule:

16.4.10 NMAC- Continuing Education-General grammar and spelling corrections, provide clarity on audit request process, and clarify possible disciplinary action for non-compliance discovered during the audit process.

16.4.22 NMAC- Fees- Changes to rule will allow for a thirty-five dollar (\$35.00) fee for returned checks and e-checks, and a ten dollar (\$10.00) administrative fee for electronic

processing for initial applications and for renewals per year to fund the ongoing maintenance and licensing of the NM-Plus system.

(6) Reasons for Changes from Published Rule:

No changes were made from the published rule for the amendment of 16.4.10 NMAC or the amendment of 16.4.22 NMAC.

(7) Reasons for Not Accepting Substantive Arguments from Public Comment:

There were no public comments related to the amendment of 16.4.10 NMAC or the amendment of 16.4.22 NMAC.

The proposed rules, as authorized by the Board during its regular meeting held November 21, 2025, are hereby adopted as of the date of this Concise Explanatory Statement.

IT IS SO ORDERED.

ON BEHALF OF THE NEW MEXICO
CHIROPRACTIC BOARD

11/24/2025

DATE

/s/ Darcy Wyatt

Darcy Wyatt, CHAIR

*Executed electronic signature via-email
authorization dated 11/24/2025*

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This is an amendment to 16.4.22 NMAC, Section 8, effective 1/27/2026.

16.4.22.8 ADMINISTRATIVE FEES:

A. In accordance with Subsection F of Section 61-4-7 and Subsection B of Section 61-4-13 NMSA 1978 of the New Mexico Chiropractic Physicians Practice Act, the board of chiropractic examiners establishes the following nonrefundable fees:

- (1) Initial application for licensure/certification:
 - (a) application fee \$350;
 - (b) expedited license application fee \$200;
 - (c) initial license fee \$350;
 - (d) advanced practice certification application fee \$100.
- (2) Reinstatement and reactivation:
 - (a) reinstatement of license \$125 (in addition to back renewal and penalty fees for each year, not to exceed two years);
 - (b) reactivation application fee \$200.
- (3) Annual renewal fees:
 - (a) active \$300;
 - (b) inactive \$100;
 - (c) advanced practice certification \$100;
 - (d) impairment fee of \$25 in addition to the license renewal fee, each chiropractor subject to renewal will be assessed an amount not to exceed \$60 per renewal period;
 - (e) penalty for late renewal \$100 (per month or portion of a month for which the license renewal fee is in arrears, the penalty not to exceed \$1000).
- (4) Continuing education seminars and programs:
 - (a) continuing education fee individual course \$50;
 - (b) continuing education seminars and programs provided by entities or organizations that meet the criteria established by the board under Subsections E and F of 16.4.10.8 NMAC and who intend to submit approval for more than 10 but less than 25 continuing education programs or seminars will be assessed a fee of \$500.
- (5) Any requests for approval that exceed 25 continuing education programs or seminars will be assessed a fee of:
 - (a) \$50/program or seminar or;
 - (b) a fee of \$500 if approval is for more than 10 but less than 25 continuing education programs or seminars.
- (6) Miscellaneous fees listed below will be approved annually by the board and made available by the board office upon request:
 - (a) photocopying \$0.25;
 - (b) written license verifications \$25;
 - (c) list of licensees \$75;
 - (d) duplicate licenses \$25;
 - (e) duplicate renewal certificate \$25;
 - (f) ~~[copies of statutes, rules and regulations are free online at board web site.]~~
returned checks or e-checks \$35;
 - (g) electronic application processing fee \$10;
 - (h) ~~copies of statutes, rules and regulations are free online at board web site.~~

B. The board shall annually designate that proportion of renewal fees which shall be used for the exclusive purposes of investigating and funding hearings regarding complaints against chiropractic physicians.
[16.4.22.8 NMAC - Rp 16.4.22.8 NMAC, 8/10/2019, A, 4/9/2022, A, 12/27/2022; A, 1/27/2026]