

NOTICE OF PUBLIC RULE HEARING AND BOARD MEETING

The New Mexico Board of Optometry and the Regulations and Licensing Department will hold a rule hearing on Friday, November 13, 2026, at 1:00 p.m., immediately followed by a meeting of The New Mexico Board of Optometry for adoption of the proposed rules listed below. The hearing and subsequent board meeting will be held at the Regulation and Licensing Department, located at 2550 Cerrillos Rd 2nd Floor, Santa Fe, New Mexico 87505.

The meeting will also be held via Microsoft Teams for those desiring to attend virtually.

Meeting Link: <https://teams.microsoft.com/meet/245914882048094?p=yNnDkl0eV4AOpD6HfP>

Or <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 245 914 882 048 094

Passcode: iM2Jt7pk

Dial in by phone

+1 505-312-4308,326640960# United States, Albuquerque

Phone conference ID: 326 640 960#

The purpose of the rule hearing is to consider the initiation of rulemaking for the following rules:

16.16.3 – Requirements for Licensure by Examination

16.16.4 – Expedited Licensure

16.16.10 – Renewal of New Mexico Optometry License

16.16.11 – License Expiration Due to Non-Renewal: Reactivation

16.16.13 – Continuing Education

16.16.22 – Disciplinary Proceedings

On Friday, October 9, 2026, copies of the proposed rules may be obtained through the New Mexico Board of Optometry website at <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/optometry/statutes-rules-and-rule-hearings/> or by contacting the Senior Board Administrator, Emma Quintana at Optometry.bd@rld.nm.gov or (505) 476-4622.

The New Mexico Board of Optometry and Regulation and Licensing Department will begin accepting written public comment regarding the proposed rule changes on Friday, October 9, 2026, at 8:00 a.m. and ending Thursday, November 12, 2026, 8:00 a.m. Written comments may be submitted by email to Optometry.bd@rld.nm.gov or by postal mail to the following address:

New Mexico Regulation and Licensing Department
Attn: New Mexico Board of Optometry
P.O. Box 25101
Santa Fe, NM 87504

*Public comment will also be accepted during the rule hearing and may be presented orally, or in writing. Individuals who would like to participate and offer public comment ***must appear in person***. Written Comments received during the public comment period (October 19, 2026 – November 12, 2026) will be posted to the website linked above. Public comments will also be accepted during the rule hearing and may be submitted in writing or

presented orally by those attending in-person. The members of the New Mexico Board of Optometry will not enter substantive discussion of public comments during the rule hearing but will consider and deliberate any public comment during the regular board meeting immediately following the conclusion of the public rule hearing.

The agenda for the New Mexico Board of Optometry regular meeting, which will begin immediately after the public rule hearing, will be available no less than 72 hours prior to the meeting, and available on the website linked above or by contacting the Senior Board Administrator, Emma Quintana at Optometry.bd@rld.nm.gov or (505) 476-4622.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or the regular board meeting, please contact the Senior Board Administrator Emma Quintana at Optometry.bd@rld.nm.gov or (505) 476-4622 at least 7 days prior to the rule hearing and regular board meeting. Public documents, including the proposed rules, meeting agenda and minutes, can be provided in various accessible formats.

For inclement weather: If New Mexico state offices are placed on a two-hour delay due to inclement weather, the rule hearing will be pushed back two hours from the noticed hearing time. If New Mexico state offices are closed due to inclement weather, the rule hearing will be rescheduled as soon as possible.

Statutory Authority: The rule changes are authorized by the Optometry Act (Act), Section 61-2-1 through 61-2-18 NMSA 1978, which provides explicit authority for the Board of Optometry to protect public health and safety and adopt rules for the administration Act. The rulemaking and public rule hearing is governed by the State Rules Act, Sections 14-4-1 through 14-4-11 NMSA 1978, and the Default Procedural Rule for Rulemaking promulgated by the New Mexico Department of Justice, Parts 1.24.25 through 1.24.25.16 NMAC.

Purpose of the Proposed Rules: The proposed rule changes are intended to update and clarify the New Mexico Board of Optometry's requirements for licensure by examination, expedited licensure, license renewal, license expiration and reactivation, continuing education, and disciplinary proceedings. The proposed changes include clarifying definitions and application documentation requirements; updating expedited licensure provisions, including requirements for applicants from jurisdictions with differing pharmaceutical agent requirements and examination requirements for renewal; establishing a June 1 renewal deadline and a 30-day grace period during which a license remains temporarily active for optometric practice; updating the timing of renewal notifications; clarifying requirements for reactivation of expired licenses; updating continuing education provisions, including increasing the maximum number of allowable internet-based continuing education hours from six to eight hours annually; and clarifying disciplinary procedures, including requirements related to complaints, responses, continuing education audits, and other disciplinary matters. More generally, the proposed rules are intended to provide greater clarity and consistency in the Board's regulatory requirements, support continued professional competence, and promote, preserve, and protect the public health, safety, and welfare.

Summary of Proposed Changes: 16.16.3 NMAC – Clarify licensure, examination, and application documentation requirements.

16.16.4 NMAC – Expedited Licensure. Update expedited licensure eligibility, application, and examination requirements.

16.16.10 NMAC – Renewal of New Mexico Optometry License. Change the renewal deadline to June 1, establish a 30-day grace period, and update renewal notification requirements.

16.16.11 NMAC – License Expiration Due to Non-Renewal: Reactivation. Update expiration and late-renewal provisions and clarify requirements for reactivation of expired licenses.

16.16.13 NMAC – Continuing Education. Update continuing education requirements, including increasing allowable internet-based education from six to eight hours annually and clarifying audit requirements.

16.16.22 NMAC – Disciplinary Proceedings Update complaint response and disciplinary procedures and clarify continuing education audit compliance.