

TITLE 16
CHAPTER 4
PART 15 **OCCUPATIONAL AND PROFESSIONAL LICENSING**
CHIROPRACTIC PRACTITIONERS
CHIROPRACTIC ADVANCED PRACTICE CERTIFICATION REGISTRY

16.4.15.1 ISSUING AGENCY: New Mexico Board of Chiropractic Examiners. [16.4.15.1 NMAC - N, 3/31/2009]

16.4.15.2 SCOPE: All chiropractic practitioners who are certified for advanced practice or who are applicants for certification for advanced practice. [16.4.15.2 NMAC - N, 3/31/2009]

16.4.15.3 STATUTORY AUTHORITY: This part is promulgated pursuant to the Chiropractic Examiners Practice Act Sections 61-4-2, 61-4-4, 61-4-6, 61-4-12 and 61-4-13 NMSA 1978. [16.4.15.3 NMAC - N, 3/31/2009]

16.4.15.4 DURATION: Permanent. [16.4.15.4 NMAC - N, 3/31/2009]

16.4.15.5 EFFECTIVE DATE: March 31, 2009, unless a later date is cited at the end of a section. [16.4.15.5 NMAC - N, 3/31/2009]

16.4.15.6 OBJECTIVE: 16.4.15 NMAC lists the requirements for advanced practice registration including course approval, formulary, continuing education, registration, application and fees. [16.4.15.6 NMAC - N, 3/31/2009]

16.4.15.7 DEFINITIONS:

- A. "Chiropractic" means the science, art and philosophy of things natural, the science of locating and removing interference with the transmissions or expression of nerve forces in the human body by the correction of misalignments or subluxations of the articulations and adjacent structures, more especially those of the vertebral column and pelvis, for the purpose of restoring and maintaining health for treatment of human disease primarily by, but not limited to, adjustment and manipulation of the human structure. It shall include, but not be limited to, the prescription and administration of all natural agents in all forms to assist in the healing act, such as food, water, heat, cold, electricity, mechanical appliances, herbs, nutritional supplements, homeopathic remedies and any necessary diagnostic procedure, excluding invasive procedures, except as provided by the board by rule and regulation. It shall exclude operative surgery and prescription or use of controlled or dangerous drugs, except as provided by the board by rule and regulation.
- B. "Certified advanced practice chiropractic physician" means advanced practice chiropractor who shall have prescriptive authority for therapeutic and diagnostic purposes as authorized by statute and stated by the board in 16.4.15.11 NMAC.
- C. "Nationally recognized credentialing agency" means agency that has been recognized by the board and may be updated annually. Any educational institution allowed to provide clinical and didactic programs credited toward advanced practice certification must have concurrent approval from the New Mexico medical board and the New Mexico board of chiropractic examiners.
- D. "Chiropractic formulary" shall mean those substances that are natural or naturally derived that have been approved for use by the chiropractor registered in advanced practice by the chiropractic board and as by statute with consensus between the New Mexico medical board and New Mexico board of pharmacy. [16.4.15.7 NMAC - N, 3/31/2009]

16.4.15.8 ADVANCED PRACTICE REGISTRATION GENERAL PROVISIONS: Advanced practice registration is authorized by 61-4-9.1(C) NMSA of the act and defined in 61-4-9.2 NMSA 1978 and allows the use of approved naturally derived substances through injection for therapeutic purposes.

- A. A chiropractic physician shall have the prescriptive authority to administer through injection and prescribe the compounding of substances that are authorized in the advanced practice formulary. Those with active registration are allowed prescription authority that is limited to the current formulary as agreed on by the New Mexico board of chiropractic examiners and as by statute, by the New Mexico board of pharmacy and the New Mexico medical board. The New Mexico board of chiropractic examiners shall maintain a registry of all chiropractic physicians who are registered in advanced practice and shall notify the New Mexico board of pharmacy of all such current registered licensees no later than September 1st of each licensing period.
- B. Chiropractic physicians applying for registry shall submit to the board:
- (1) documentation that the doctor has successfully completed a competency examination administered by a nationally recognized credentialing agency or after December 31, 2012 successfully completed a graduate degree in a chiropractic clinical practice specialty;
 - (2) documentation that the chiropractic physician has successfully completed 90 clinical and didactic hours of education provided by an institution approved by the New Mexico medical board and the New Mexico board of chiropractic examiners;
 - (3) an application provided by the board for registry of the advanced practice certification.
- C. A chiropractic physician without advanced practice certification may administer, dispense and prescribe any natural substance that is to be used in an oral or topical manner so long as that substance is not considered a dangerous drug.
- D. The board shall annually renew the registration of a doctor of chiropractic medicine in good standing who is registered in advanced practice if the licensee has completed all continuing education required by 16.4.10 NMAC.
- E. All advanced practice registrations shall automatically terminate when licensure as a doctor of chiropractic medicine:
- (1) is placed on inactive status as stated in Paragraph (2) of Subsection A of 16.4.12.8 NMAC; or
 - (2) expires as stated in 16.4.13.8 NMAC; or
 - (3) is suspended, revoked or terminated for any reason as stated in 16.4.13.8 NMAC;
 - (4) is not renewed prior to the annual renewal date (July 1).
- F. An advanced practice registration that is revoked or terminated shall not be reinstated. The chiropractic physician must reapply for expanded practice certification as a new applicant.
- G. All advanced practice registrations that were automatically terminated due to inactive status, expiration or suspension as stated in 16.4.13.8 NMAC shall be automatically reinstated when licensure as a chiropractic physician is reinstated, provided that:
- (1) all fees required by 16.4.1.13 NMAC have been paid; and
 - (2) all continuing education requirements stated in Subsection C of 16.4.15.10 NMAC have been completed; and
 - (3) any other reinstatement provisions, required by board rule, have been completed.
- H. Each year the board may review the advanced practice formularies for necessary amendments. When new substances are added to a formulary, appropriate education in the use of the new substances may be approved and required by the board for chiropractic physician applying for registration or as continuing education for renewal of the applicable advanced practice registration. All amendments to the formulary shall be made

following consensus of the NM board of medicine, NM pharmacy board and the NM board of chiropractic examiners.

- I. A chiropractic physician certified for advanced practice under 16.4.15.11 NMAC that includes the use of controlled substances shall register with the federal DEA (drug enforcement agency) prior to obtaining, prescribing, administering, compounding the controlled substance.
- J. A chiropractic physician registered in advanced practice, when prescribing, shall use prescription pads printed with his or her name, address, telephone number, license number and his or her advanced practice certification. If a chiropractic physician is using a prescription pad printed with the names of more than one chiropractic physician the above information for each chiropractic physician shall be on the pad and the pad shall have a separate signature line for each chiropractic physician. Each specific prescription shall indicate the name of the chiropractic physician for that prescription and shall be signed by the prescribing chiropractic physician. [16.4.15.8 NMAC - N, 3/31/2009]

16.4.15.9 ADVANCED PRACTICE REGISTRATION - BOARD REQUIREMENTS:

- A. The board shall have final authority for registration of all applicants.
- B. The board shall notify the applicant in writing by mail postmarked no more than thirty (30) days after the receipt of the initial application as to whether the application is complete or incomplete and missing specified application documentation.
- C. The board shall notify the applicant in writing by mail postmarked no more than thirty (30) days after the notice of receipt of the complete application sent out by the board, whether the application is approved or denied. 16.4.15 NMAC 3
- D. If the application is denied, the notice of denial shall state the reason the application was denied.
- E. In the interim between regular board meetings the board's chairman or an authorized representative of the board may certify a chiropractic physician into the advanced practice registry to an applicant who has filed with the board a complete application and complied with all requirements for advanced practice registration.
- F. The board shall have the authority to deny, suspend, revoke or otherwise discipline an expanded practice certification, in accordance with the Uniform Licensing Act, 61-1-1 to 61-1-31 NMSA 1978, for reasons authorized in the act and clarified in Paragraph (24) of Subsection B of 16.4.8.10 NMAC. [16.4.15.9 NMAC - N, 3/31/2009]

16.4.15.10 FEES, RENEWAL and CONTINUING EDUCATION:

- A. A fee of \$100 shall accompany the initial application. When that application is approved a fee of \$100 shall be submitted for registry of the advanced practice certification.
- B. A fee of \$100 shall be assessed for all renewal applications, in addition to the standard fee for renewal of the chiropractic license.
- C. Chiropractic physicians seeking renewal of advanced practice certification registration shall have completed 10 hours of continuing education, in addition to the required number of CE hours for the general chiropractic licensure, from an approved institution as stated in 16.4.15.8 NMAC or approved by submission to the board for CE credited as stated in 16.4.15.8 NMAC. The education should include pharmacology, toxicology, medication administration or pharmacognosy appropriate to the current formulary and procedures authorized to be performed by the advanced practice chiropractic certification. [16.4.15.10 NMAC - N, 3/31/2009]

16.4.15.11 CHIROPRACTIC FORMULARY:

- A. Herbal medicines may be the crude substance or a prepared form that renders the crude substance clinically useful. It may include preparations, concentrates, refinements, isolates, extracts, and derivatives of herbs.
- B. All homeopathic preparations medicines include all medicines named in the homeopathic pharmacopoeia of the United States.
- C. Over-the-counter drugs to include, but not limited to, all drugs listed in the PDR for OTC drugs or other compendium of United States otc drugs:
 - (1) all vitamins;
 - (2) all minerals.
- D. Enzymes to include those produced for therapeutic use to include digestive enzymes, proteolytic enzymes, anti-inflammatory enzymes and other therapeutic enzymes.
- E. Glandular products to include products produced from, extracted from, isolated from animal glandular tissue. It includes desiccated or otherwise processed whole glandular tissue, including protein, lipid and carbohydrate constituents of glandular tissue and, hormones, enzymes and secretions.
- F. Protomorphogens to include those components of the cell nuclear material that are responsible for morphogenic determination of cell characteristics.
- G. Live cell products includes therapeutic agents that are live cells or that are produced or secreted, extracted or isolated from live cells:
 - (1) gerovital;
 - (2) all amino acids to include peptides and amino acid combinations.
- H. All dietary supplements as listed in comprehensive natural medicines database, PDR for nutritional supplements or other compendium or commercial catalogue of dietary supplements.
- I. All foods for special dietary use.
- J. Bioidentical hormones to include all hormones compounds, or salt forms of those compounds, that have exactly the same chemical and molecular structure as hormones that are produced in the human body:
 - (1) sterile water;
 - (2) sterile saline;
 - (3) sarapin or its generic;
 - (4) caffeine;
 - (5) procaine HCl;
 - (6) oxygen;
 - (7) epinephrine;
 - (8) vapocoolants.

[16.4.15.11 NMAC - N, 09/11/2009]

HISTORY OF 16.4.15 NMAC: [RESERVED]