

# New Mexico Athletic Trainer Practice Board



## Athletic Trainer Practice Act 16-3 NMAC & §61-14D NMSA 1978 Rules and Regulations

Effective: July 23, 2015

**NEW MEXICO ADMINISTRATIVE CODE**  
**TITLE 16 | OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3 ATHLETIC TRAINERS**

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**TITLE 16            OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3        ATHLETIC TRAINERS**  
**PART 1            GENERAL PROVISIONS**

**16.3.1.1            ISSUING AGENCY:** NM Regulation and Licensing Department New Mexico Athletic Trainers Practice Board, Post Office Box 25101, Santa Fe, New Mexico 87504 [1-16-00; 16.3.1.1 NMAC - Rn, 16 NMAC 3.1.1, 8-16-01]

**16.3.1.2            SCOPE:** All individuals who wish to practice the profession of athletic training in the State of New Mexico and individuals offering services in association or associated with athletic training. [1-16-00; 16.3.1.2 NMAC – Rn, 16 NMAC 3.1.2, 8-16-01]

**16.3.1.3            STATUTORY AUTHORITY:** These Rules are promulgated pursuant to the Athletic Trainers practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [1-16-00; 16.3.1.3 NMAC – Rn, 16 NMAC 3.1.3, 8-16-01]

**16.3.1.4            DURATION:** Permanent [1-16-00; 16.3.1.4 NMAC – Rn, 16 NMAC 3.1.4, 8-16-01]

**16.3.1.5            EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section or paragraph. [1-16-00; 16.3.1.5 NMAC – Rn, 16 NMAC 3.1.5, 8-16-01]

**16.3.1.6            OBJECTIVE:** The objective of Part 1 Chapter 3 is to define terms relevant to athletic training and define the boards responsibilities to the board operations. [1-16-00; 16.3.1.6 NMAC – Rn, 16 NMAC 3.1.6, 8-16-01]

**16.3.1.7            DEFINITIONS:** As used in these regulations,

- A. "Act" means **the Athletic Trainers Practice Act**, Sections 61-14D-1 through 61-14D-20, NMSA 1978.
- B. "Licensed Physician" means a licensed physician who assumes responsibility for providing medical consultative support to the athletic trainer's practice, whether on a regular or temporary basis. The term may include a school or team physician provided a written acknowledgement by the physician is made part of the school or team records.
- C. "Approved Internship program" means a Board approved college or university program of education and clinical supervision by an NATABOC or its successor organization's certified athletic trainer.
- D. "Licensing Year" means the period from September 1 of any year through August 31 of the following year.
- E. "NATA" means the National Athletic Trainers Association.
- F. "NATABOC" means the National Athletic Trainers Association Board of Certification.
- G. "Current CPR Certification" means completion within the preceding twelve months of a course in cardio pulmonary resuscitation approved by the American Red Cross or American Heart Association. The Code of Ethics adopted shall be the current Code of Ethics of the National Athletic Trainers Association or its successor organization.
- H. "Athlete's Surgeon" means the physician or surgeon who is rendering services for the athlete and who prescribes therapeutic treatment and care for the athlete's post surgical condition.

[1-16-00; 16.3.1.7 NMAC - Rn & A, 16 NMAC 3.1.7, 8-16-01]

**16.3.1.8            BOARD OPERATIONS**

- A. License Display.** A valid license must be displayed and must be visible to the public in the primary place of employment or business of the athletic trainer. A licensee must practice athletic training under the name inscribed on the license.
- B. Board Elections.** At the first Board meeting of each calendar year the Board shall elect, by majority vote of the members present, a chairman and vice chairman. Officers will serve a one-year term of office. A vacancy, which occurs in any office, shall be filled, by a majority vote of the Board members present, at the first Board meeting following the vacancy.
- C. Quorum.** A quorum of the Board is three members. A quorum is necessary to conduct official business.
- D. Telephone Conferences.** If it is difficult or impossible for a member of the Board to attend a meeting in person, the member may participate through a conference telephone. Each member participating by conference telephone must be identified when speaking, all participants must be able to hear each other at the same time and members of the public attending the meeting must be able to hear any member of the Board who speaks during the meeting.
- E. Board Meetings.** The Board shall meet at least annually. Additional meetings shall be held as necessary to conduct the business of the Board. Meetings may be convened at the call of the Chair, or upon written request of three Board members.
- F. Member Attendance at Meetings.** Board members are required to attend Board meetings as scheduled by the Board. Any member failing to attend three consecutive meetings shall be deemed to have resigned and shall be recommended to the Governor for removal, unless the absences are excused by the Board Chair.

**G. Excused Absences.** Board members may be excused from attending meetings for any of the following reasons: illness, family emergency, military service, death in the immediate family, or for any other reason deemed appropriate by the Board Chair.

**H. Open Meeting Resolution.** The Board shall review the Open Meetings Act and adopt an Open Meeting Resolution at the first meeting in each calendar year.

**I. Public Records.** Except as provided herein and except as otherwise provided by law, all applications, pleadings, petitions and motions are matters of public record as of the time of filing with the board.

**J. Inspection of Public Records.** The Board operates in compliance with the Inspection of Public Records Act, NMSA 1978 Sections 14-2-1 through 14-2-16. The Board administrator is the custodian of the Board's records. Individuals may make oral or written request to inspect the public records of the Board. If the request is made in writing it must include the name, address and phone number of the individual seeking access. Requests for access to public records will be processed in a timely manner. If the inspection is not permitted within 3 business days, the custodian will notify the individual requesting access to the records in writing and explain when the records will be made available. The Board may provide copies of public records upon request and upon payment of a reasonable copying fee, except as may be ordered by a court of competent jurisdiction. No person shall remove original Board documents from the Board office. The Board maintains files for all individuals. Information in an individual's file is a matter of public record except for the following:

- (1) Letters of reference,
- (2) Test scores
- (3) Medical reports and/or records of chemical dependency, physical or mental examinations or treatment.

**K. Parental Responsibility Act Compliance:** The Parental Responsibility Compliance Act, NMSA 1978, 40-5A-1 to 40-5A-13, is incorporated in full into these rules. [1-16-00; 16.3.1.8 NMAC – Rn, 16 NMAC 3.1.8, 8-16-01]

#### **HISTORY OF 16.3.1 NMAC:**

##### **PRE-NMAC HISTORY:**

The material in this Part was derived from that previously filed with the State Records Center and Archives Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 91-1, Definitions, filed 8-30-91; Rule 1, Definitions, filed 2-3-94; Rule 91-12, Open Meetings Act Compliance, filed 8-30-91; Rule 3, General Provisions And Board Operations, filed 2-3-94

**HISTORY OF REPEALED MATERIAL:** [Reserved]

## **TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**

### **CHAPTER 3 ATHLETIC TRAINERS**

#### **PART 2 SCOPE OF PRACTICE**

**16.3.2.1 ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board Post Office Box 25101, Santa Fe, New Mexico 87504 [1-16-00; 16.3.2.1NMAC - Rn, 16 NMAC 3.2.1, 8-16-01]

**16.3.2.2 SCOPE:** All individuals who wish to practice the profession of athletic training in the State of New Mexico. [1-16-00; 16.3.2.2 NMAC - Rn, 16 NMAC 3.2.2, 8-16-01]

**16.3.2.3 STATUTORY AUTHORITY:** These Rules are promulgated pursuant to the Athletic Trainers practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [1-16-00; 16.3.2.3 NMAC - Rn, 16 NMAC 3.2.3, 8-16-01]

**16.3.2.4 DURATION:** Permanent [1-16-00; 16.3.2.4 NMAC - Rn, 16 NMAC 3.2.4, 8-16-01]

**16.3.2.5 EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section or paragraph. [1-16-00; 16.3.2.5 NMAC - Rn, 16 NMAC 3.2.5, 8-16-01]

**16.3.2.6 OBJECTIVE:** Specifies the National Athletic Trainers Association and the New Mexico Athletic Trainers Association to serve as guidelines in the absence of specific direction in the Act or regulations and outlines records to be kept by the professionals. [1-16-00; 16.3.2.6 NMAC - Rn, 16 NMAC 3.2.6, 8-16-01]

**16.3.2.7 DEFINITIONS:** [Reserved]

**16.3.2.8 SCOPE OF PRACTICE:** In the absence of specific direction in the act or these regulations as to standards of practice, the standards of practice established by the National Athletic Trainers Association and the New Mexico Athletic Trainers Association shall serve as guidelines.

A. The current Competencies in Athletic Training issued by the NATA or its successor organization are adopted as establishing the standard of practice and the authorized use of exercise and physical modalities by persons licensed under these regulations. Information for obtaining a copy of the Competencies in Athletic Training may be obtained by calling or writing the Board office.

B. The athletic trainer shall maintain the name and address of the licensed physician and standing orders or protocols which are currently established for the trainer's practice. These records must be provided upon the request of the board or their designee.

C. The athletic trainer shall maintain records which shall include:

- (1) documentation in accordance with Section Subsection B or 16.3.2.8 NMAC;
- (2) prescription for treatment of post surgical conditions from the athlete's surgeon; and
- (3) consent for athlete's participation and for services in the event of illness or injury.
- (4) Athlete's case records which shall be confidential and consistent with the NATA's or its successor organization's current code of ethics. [1-16-00; 16.3.2.8 NMAC – Rn & A, 16 NMAC 3.2.8, 8-16-01]

#### **HISTORY OF 16.3.2 NMAC:**

##### **PRE-NMAC HISTORY:**

The material in this Part was derived from that previously filed with the State Records Center and Archives Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 91-2, Scope of Practice, filed 8-30-91; Rule 2, Scope of Practice, filed 2-3-94

**HISTORY OF REPEALED MATERIAL:** [Reserved]

## **TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**

### **CHAPTER 3 ATHLETIC TRAINERS**

#### **PART 4 INITIAL LICENSING REQUIREMENTS**

**16.3.4.1 ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board Post Office Box 25101 Santa Fe, New Mexico 87504 [1-16-00; 16.3.4.1NMAC - Rn, 16 NMAC 3.4.1, 8-16-01]

**16.3.4.2 SCOPE:** All individuals who wish to apply to practice the profession of athletic training in the state of New Mexico. [1-16-00; 16.3.4.2 NMAC - Rn, 16 NMAC 3.4.2, 8-16-01]

**16.3.4.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [1-16-00; 16.3.4.3 NMAC - Rn, 16 NMAC 3.4.3, 8-16-01]

**16.3.4.4 DURATION:** Permanent [1-16-00; 16.3.4.4 NMAC - Rn, 16 NMAC 3.4.4, 8-16-01]

**16.3.4.5 EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section. [1-16-00; 16.3.4.5 NMAC - Rn, 16 NMAC 3.4.5, 8-16-01; A, 11-23-06]

**16.3.4.6 OBJECTIVE:** Outlines and details requirements for individuals applying for licensure in the state of New Mexico. [1-16-00; 16.3.4.6 NMAC - Rn, 16 NMAC 3.4.6, 8-16-01]

**16.3.4.7 DEFINITIONS:** [Reserved]

**16.3.4.8 APPLICANTS FOR LICENSURE: As an athletic trainer must possess the following qualifications and provide the required documentation with the application.**

A. Application for licensure shall be made on forms prescribed by the board.

- (1) Completed application signed, dated and notarized.
- (2) Applications must be accompanied by the required fee, which shall be non-refundable.
- (3) Education requirements: holds a baccalaureate degree.
- (4) Current NATA-BOC or show proof of three part exam registration through NATA-BOC.
- (5) Current competence in cardiopulmonary resuscitation (CPR) and; use of automated electrical defibrillator units (AED).

B. Documentation required for licensure:

- (1) completed application;
- (2) one hundred twenty five (\$125.00) application fee (non-refundable);
- (4) proof of current NATA-BOC certification;

- (5) proof of current competence in CPR and; use of AED;
- (6) demonstrates professional competence by satisfactorily passing the New Mexico jurisprudence examination; and
- (7) demonstrates professional competency by satisfactorily passing the NATA examination.

C. Applicants who are not NATA certified shall apply to take the NATABOC or its successor organization's exam or other exams offered by the board as demonstration of professional competence. Successful completion of either exam is a requirement for licensure.

D. Each applicant must, in addition to the other requirements, pass an examination on the New Mexico laws and regulations pertaining to the practice of athletic training before an initial license may be issued (jurisprudence examination). [1-16-00; 16.3.4.8 NMAC - Rn & A, 16 NMAC 3.4.8, 8-16-01; A, 11-23-06]

**HISTORY OF 16.3.4 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center and Archives Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 91-5, Qualifications For Licensure, filed 8-30-91; Rule 4, Initial Licensing Requirements, filed 2-3-94; Rule 91-7, Application Procedure, filed 8-30-91.

**HISTORY OF REPEALED MATERIAL:** [Reserved]

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING  
CHAPTER 3 ATHLETIC TRAINERS  
PART 5 PROVISIONAL PERMITS**

**16.3.5.1 ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board P.O. Box 25101 Santa Fe New Mexico 87504 [1-16-00; 16.3.5.1 NMAC - Rn, 16 NMAC 3.5.1, 8-16-01]

**16.3.5.2 SCOPE:** All individuals who wish to apply to practice the profession of athletic training in the state of New Mexico and meet the requirements but have not taken or passed the examination. [1-16-00; 16.3.5.2 NMAC - Rn, 16 NMAC 3.5.2, 8-16-01]

**16.3.5.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [1-16-00; 16.3.5.3 NMAC - Rn, 16 NMAC 3.5.3, 8-16-01]

**16.3.5.4 DURATION:** Permanent [1-16-00; 16.3.5.4 NMAC - Rn, 16 NMAC 3.5.4, 8-16-01]

**16.3.5.5 EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section. [1-16-00; 16.3.5.5 NMAC - Rn, 16 NMAC 3.5.5, 8-16-01; A, 11-23-06]

**16.3.5.6 OBJECTIVE:** Outlines and details requirements for individuals applying for a provisional permit to practice athletic training in the state of New Mexico. [1-16-00; 16.3.5.6 NMAC - Rn, 16 NMAC 3.5.6, 8-16-01]

**16.3.5.7 DEFINITIONS:** [Reserved]

**16.3.5.8 PROVISIONAL PERMITS:** Will grant to individuals meeting all requirements except the national certification exam. The provisional permit will be valid no more than six months. No individual will be issued more than two provisional permits. [1-16-00; 16.3.5.8 NMAC - Rn, 16 NMAC 3.5.8, 8-16-01; A, 11-23-06]

**HISTORY OF 16.3.5 NMAC:**

**PRE-NMAC HISTORY:** The material in this part was derived from that previously filed with the State Records Center and Archives Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 91-6, Provisional Licensure, filed 8-30-91; Rule 5, Provisional Permits, filed 2-3-94.

**HISTORY OF REPEALED MATERIAL:** [Reserved]

**TITLE 16            OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3        ATHLETIC TRAINERS**  
**PART 6            EXAMINATIONS**

**16.3.6.1            ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board P.O. Box 25101 Santa Fe, New Mexico 87504 [1-16-00; 16.3.6.1 NMAC - Rn, 16 NMAC 3.6.1, 8-16-01]

**16.3.6.2            SCOPE:** Examination requirements for all individuals who wish to apply to practice the profession of athletic training in the state of New Mexico. [1-16-00; 16.3.6.2 NMAC - Rn, 16 NMAC 3.6.2, 8-16-01]

**16.3.6.3            STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [1-16-00; 16.3.6.3 NMAC - Rn, 16 NMAC 3.6.3, 8-16-01]

**16.3.6.4            DURATION:** Permanent [1-16-00; 16.3.6.4 NMAC - Rn, 16 NMAC 3.6.4, 8-16-01]

**16.3.6.5            EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section. [1-16-00; 16.3.6.5 NMAC - Rn, 16 NMAC 3.6.5, 8-16-01; A, 11-23-06]

**16.3.6.6            OBJECTIVE:** Outlines and details the examination requirements and procedures for individuals applying for licensure by examination. [1-16-00; 16.3.6.6 NMAC - Rn, 16 NMAC 3.6.6, 8-16-01]

**16.3.6.7            DEFINITION:** [Reserved]

**16.3.6.8            EXAMINATIONS**

**A.** The board will accept the following examinations as proof of professional competence:

- (1) the national athletic trainers association board of certification; and
- (2) New Mexico jurisprudence exam (70% passing score).

**B.** Candidate who wishes to appeal failure on an examination must notify the board in writing within ten days of receipt of examination results.

**C.** An ADA covered applicant who requests special accommodation (particularly when the request involves assistance in taking the examination) must make the request in writing; must support the request with a medical statement confirming the need for the accommodation and the board will either grant or deny the request. Requests must be submitted with the application. The board will consider each request on a case-by case basis.

**D.** Applicants who fail to obtain the minimum required passing score must submit a new application, including the application fee and all documentation. Applicant must pay the examination fee for each administration of examination. [1-16-00; 16.3.6.8 NMAC - Rn & A, 16 NMAC 3.6.8, 8-16-01; A, 11-23-06]

**HISTORY OF 16.3.6 NMAC:**

**PRE-NMAC HISTORY:** The material in this part was derived from that previously filed with the State Records Center and Archives Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 6, Examinations, filed 2-3-94

**HISTORY OF REPEALED MATERIAL:** [Reserved]

**TITLE 16            OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3        ATHLETIC TRAINERS**  
**PART 7            ANNUAL RENEWAL OF LICENSE**

**16.3.7.1            ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board Post Office Box 25101 Santa Fe, New Mexico 87504 [1-16-00; 16.3.7.1 NMAC - Rn, 16 NMAC 3.7.1, 8-16-01]

**16.3.7.2            SCOPE:** Licensee requirements for the annual renewal of athletic trainers licenses in the state of New Mexico. [1-16-00; 16.3.7.2 NMAC - Rn, 16 NMAC 3.7.2, 8-16-01]

**16.3.7.3            STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [1-16-00; 16.3.7.3 NMAC - Rn, 16 NMAC 3.7.3, 8-16-01]

**16.3.7.4 DURATION:** Permanent [1-16-00; 16.3.7.4 NMAC - Rn, 16 NMAC 3.7.4, 8-16-01]

**16.3.7.5 EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section. [1-16-00; 16.3.7.5 NMAC - Rn, 16 NMAC 3.7.5, 8-16-01; A, 11-23-06]

**16.3.7.6 OBJECTIVE:** Outlines and details the renewal requirements and procedures for the renewal of the athletic trainers license. [1-16-00; 16.3.7.6 NMAC - Rn, 16 NMAC 3.7.6, 8-16-01]

**16.3.7.7 DEFINITIONS:** [Reserved]

**16.3.7.8 ANNUAL RENEWAL OF LICENSES:**

- A. All licenses expire annually on August 31st.
- B. Licensees shall be responsible for filing a current mailing address and name change with the board.
- C. Each person licensed under the act shall renew his/her license annually on or before the expiration date by submitting a renewal application, the renewal fee, proof of current CPR certification, AED certification and proof of current NATA-BOC certification.
- D. Failure to submit the required documents and fees by August 31st shall cause the license to lapse and the license holder must refrain from practicing.
- E. The licensee may renew within a thirty day grace period, by submitting payment of the renewal fee of \$165.00, late fee of \$75.00 and compliance with all renewal requirements. Failure to renew a license within the thirty-day grace period shall cause the license to automatically expire.
- F. A license that has not renewed within the thirty days of expiration is automatically expired and the applicant must reapply as a new applicant. [1-16-00; 16.3.7.8 NMAC - Rn, 16 NMAC 3.7.8, 8-16-01; A, 11-23-06]

**16.3.7.9 CONTINUING EDUCATION REQUIREMENTS:**

- A. Each licensee shall be required to earn 75 continuing education units (contact hours), during each three year reporting period. The reporting period will correspond to the NATA or its successor organization's reporting period of every 3 years. Subsequent reporting periods will be for a period of three years and reporting 75 continuing education units.
- B. CEU's may be earned by completing CPR/AED certification, completing continuing education courses approved by the NATA-BOC or its successor organization, or by completing course work taken at an accredited college or university which falls within one of the performance domains identified in the current NATA'S-BOC (or its successor organization) role delineation study. 10 CEU's are awarded for each credit hour earned in an applicable course taken at any accredited college or university.
- C. Each license shall report CEU's earned during a reporting period at the next license renewal period. Reporting of CEU's may be by either submitting a copy of the status card which indicates that certified athletic trainer in good status with the NATA or its successor organization, by a letter from the NATA or its successor organization indicating completion of CEU's, or by submitting the actual documentation of completion of CEU courses. [16.3.7.9 NMAC - N, 8-16-01; A, 11-23-06]

**16.3.7.10 INACTIVE STATUS:**

- A. A licensed person may request inactive status by notifying the board in writing before the expiration of current license.
- B. An inactive status license may be restored, upon receiving the request for reinstatement; board staff shall send a reinstatement renewal notice.
- C. Along with the completed reinstatement renewal application, must include renewal fee, reinstatement fee, proof of completing a current CPR/AED unit certification. [16.3.7.10 NMAC - N, 11-23-06]

**HISTORY OF 16.3.7 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the state records center and archives under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 91-9, Expiration, filed 8-30-91; Rule 7, Annual Renewal of Licenses, filed 2-3-94; Rule 91-8, Annual Renewal of Licenses, filed 8-30-91.

**HISTORY OF REPEALED MATERIAL:** [Reserved]



**TITLE 16            OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3        ATHLETIC TRAINERS**  
**PART 8            FEES**

**16.3.8.1            ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board Post Office Box 25101 Santa Fe, New Mexico 87504 [1-16-00; 16.3.8.1 NMAC - Rn, 16 NMAC 3.8.1, 8-16-01]

**16.3.8.2            SCOPE:** Applicant and licensure fees required for licensing, renewals penalties, and other miscellaneous items in order to practice as an athletic trainer in the state of New Mexico. [1-16-00; 16.3.8.2 NMAC - Rn, 16 NMAC 3.8.2, 8-16-01]

**16.3.8.3            STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [1-16-00; 16.3.8.3 NMAC - Rn, 16 NMAC 3.8.3, 8-16-01]

**16.3.8.4            DURATION:** Permanent [1-16-00; 16.3.8.4 NMAC - Rn, 16 NMAC 3.8.4, 8-16-01]

**16.3.8.5            EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section. [1-16-00; 16.3.8.5 NMAC - Rn, 16 NMAC 3.8.5, 8-16-01; A, 11-23-06]

**16.3.8.6            OBJECTIVE:** Outlines and details the fee requirements for licensure, exams, renewals, penalties and other miscellaneous items. [1-16-00; 16.3.8.6 NMAC - Rn, 16 NMAC 3.8.6, 8-16-01]

**16.3.8.7            DEFINITIONS:** Reserved

**16.3.8.8            FEES:** The board will charge the following fees, which are non-refundable:

- A. one hundred twenty five dollars (\$125.00) application fee;
- B. one hundred dollars (\$100.00) fee for a provisional athletic trainer permit;
- C. one hundred dollars (\$100.00) initial licensing fee;
- D. one hundred and sixty five dollars (\$165.00) annual renewal fee;
- E. seventy-five dollars (\$75.00) late renewal fee;
- F. ten dollars (\$10.00) fee for replacement or duplicate of a license;
- G. twenty dollars (\$20.00) fee for address labels of the New Mexico licensed athletic trainers;
- H. ten dollars (\$10.00) fee for address lists of New Mexico licensed athletic trainers;
- I. ten dollars (\$10.00) fee for written license verification;
- J. fifty dollars (\$50.00) fee for CEU approval;
- K. twenty-five dollars (\$25.00) charge for return checks;
- L. ten dollars (\$10.00) administrative fee.

[1-16-00; 16.3.8.8 NMAC - Rn, 16 NMAC 3.8.8, 8-16-01; A, 8-9-02; A, 11-23-06]

**HISTORY OF 16.3.8 NMAC:**

**PRE-NMAC HISTORY:** The material in this part was derived from that previously filed with the State Records Center and Archives Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 91-13, Fees, filed 8-30-91; Rule 8, Fees, filed 2-3-94.

**HISTORY OF REPEALED MATERIAL:** [Reserved]

**TITLE 16            OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3        ATHLETIC TRAINERS**  
**PART 9            DISCIPLINARY PROCEEDINGS**

**16.3.9.1            ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board Post Office Box 25101 Santa Fe, New Mexico 87504    [1-16-00; 16.3.9.1 NMAC - Rn, 16 NMAC 3.9.1, 8-16-01]

**16.3.9.2            SCOPE:** Outlines the disciplinary process taken if a violation of the athletic act or regulation occurs while licensed as an athletic trainer in the State of New Mexico.    [1-16-00; 16.3.9.2 NMAC - Rn, 16 NMAC 3.9.2, 8-16-01]

**16.3.9.3            STATUTORY AUTHORITY:** These Rules are promulgated pursuant to the Athletic Trainers practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978.    [1-16-00; 16.3.9.3 NMAC - Rn, 16 NMAC 3.9.3, 8-16-01]

**16.3.9.4            DURATION:** Permanent            [1-16-00; 16.3.9.4 NMAC - Rn, 16 NMAC 3.9.4, 8-16-01]

**16.3.9.5            EFFECTIVE DATE:** January 16, 2000, unless a later date is cited at the end of a section or paragraph. [1-16-00; 16.3.9.5 NMAC - Rn, 16 NMAC 3.9.5, 8-16-01]

**16.3.9.6            OBJECTIVE:** Outlines and details the process and procedures for disciplinary action against an athletic trainer found in violations of act or regulations.            [1-16-00; 16.3.9.6 NMAC - Rn, 16 NMAC 3.9.6, 8-16-01]

**16.3.9.7            DEFINITIONS:** [Reserved]

**16.3.9.8            DISCIPLINARY PROCEEDINGS:**

A. Disciplinary proceedings may be initiated by the board upon the receipt of a sworn complaint of any person, including any member of the board.

B. Upon receipt of a sworn complaint, the Board staff, with the concurrence of the Board's attorney or a member of the Board, shall determine if the allegation may involve a violation of the statute or regulations. Upon determination of a potential violation the staff will initiate an investigation of the allegations.

C. In accordance with the provisions of the Uniform Licensing Act, the board may take action against the licensee.

D. In addition the board may offer the licensee an informal type of discipline, including but not limited to, a letter of reprimand, in lieu of initiating formal proceedings. In these instances, the board shall notify the licensee of the following:

(1) that a letter of reprimand has been officially proposed;

(2) that the licensee has an opportunity to review the contents of the letter of reprimand and provide comments and accepts the form of discipline thereto;

(3) that a copy of the letter of reprimand will remain in the files of the board for a specified period of time and the fact thereof shall be admissible in evidence, if relevant, during the course of any subsequent formal proceeding conducted pursuant to the Uniform Licensing Act.

E. A letter of reprimand issued pursuant to this rule shall be signed by the board chair and served upon the licensee by certified mail. Copies of the reprimand shall be furnished to the members of the board and board counsel.

F. The fact that a licensee has received a letter of reprimand shall be a matter of public record. The complainant shall be informed that the practitioner has been reprimanded.

G. Neither the action or inaction of the board on any complaint shall preclude the initiation of any private cause of action by the complainant. [1-16-00; 16.3.9.8 NMAC - Rn, 16 NMAC 3.9.8, 8-16-01]

**HISTORY OF 16.3.9 NMAC:**

**PRE-NMAC HISTORY:**

The material in this Part was derived from that previously filed with the State Records Center and Archives

Under: HED 84-4 (HSD), Regulations Governing The Athletic Trainers Act, filed 7-11-84; AT-01-88, Regulations Governing The Athletic Trainers Act, filed 9-19-88; AT-01-89, Regulations Governing The Athletic Trainers Act, filed 7-11-89; Rule 91-11, Refusal, Suspension Or Revocation Of License, filed 8-30-91; Rule 9, Disciplinary Proceedings, filed 2-3-94

**HISTORY OF REPEALED MATERIAL:** [Reserved]

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3 ATHLETIC TRAINERS**  
**PART 10 EMERGENCY LICENSURE**

**16.3.10.1 ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board Post Office Box 25101 Santa Fe, New Mexico 87504. [16.3.10.1 NMAC - N, 11-23-06]

**16.3.10.2 SCOPE:** All individuals who wish to practice the profession of athletic training in the state of New Mexico and individuals offering services in association or associated with athletic training. [16.3.10.2 NMAC - N, 11-23-06]

**16.3.10.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [16.3.10.3 NMAC - N, 11-23-06]

**16.3.10.4 DURATION:** Permanent. [16.3.10.4 NMAC - N, 11-23-06]

**16.3.10.5 EFFECTIVE DATE:** November 23, 2006, unless a later date is cited at the end of a section. [16.3.10.5 NMAC - N, 11-23-06]

**16.3.10.6 OBJECTIVE:** The objective of 16.3.10 NMAC is to outline requirements, procedures, and criteria for issuance of an emergency license. [16.3.10.6 NMAC - N, 11-23-06]

**16.3.10.7 DEFINITIONS:** [RESERVED] [16.3.10.7 NMAC - N, 11-23-06]

**16.3.10.8 APPLICATION FOR EMERGENCY LICENSURE AS AN ATHLETIC TRAINER:**

**A.** An applicant affected in a federal disaster currently licensed as an athletic trainer in another jurisdiction and is in good standing and otherwise meets the requirements for New Mexico licensure may be licensed in New Mexico during the four months following the declared federal disaster at no cost upon satisfying the following requirements:

- (1) a completed application, signed, dated and notarized;
- (2) proof of identity, which may include a copy of a drivers license, passport or other photo identification issued by a governmental entity;
- (3) sworn affidavit statement that because of circumstance arising out of a declared area the applicant is unable to obtain proof documentation otherwise required by rules by the board;
- (4) refer to 16.3.4 NMAC, athletic trainers, initial licensing requirements;
- (5) verification of current licensure or certification (no access to national data base, board staff will verify).

**B.** The board may waive submission of the specific forms only if the applicant is unable to obtain the required document from an affected federally declared disaster area:

- (1) verification NATA-BOC certification;
- (2) official university transcripts;
- (3) proof of CPR/AED certification;
- (4) New Mexico laws and regulation examination (jurisprudence examination).

**C.** Nothing in this section shall constitute a waiver of the requirements for licensure contained in 16.3.4 NMAC, 16.3.5 NMAC, and 16.3.6 NMAC.

**D.** Emergency licensure shall expire on August 31, unless renewed by the board. Application for renewal shall consist of the following:

- (1) completed application, signed by the applicant, and notarized;
- (2) a 2" inch by 2" photograph of the applicant;
- (3) an application fee of \$125.00 as provided in 16.3.8 NMAC;
- (4) other documentation required in 16.3.4 NMAC through 16.3.9 NMAC;
- (5) official transcripts in a sealed envelope;
- (6) proof of current NATA-BOC certification;
- (7) proof of current cardiopulmonary resuscitation (CPR ); and automated electrical defibrillator unit (AED);
- (8) demonstrates professional competence by satisfactorily passing the New Mexico jurisprudence examination.

[16.3.10.8 NMAC - N, 11-23-06]

**16.3.10.9 EMERGENCY LICENSE TERMINATION:** In accordance with the procedures established by the Uniform Licensing Act (61-1-1 to 61-11-31 NMSA 1978), the board may deny, suspend or revoke a license held or applied for under the Athletic Trainers Practice Act, may fine or reprimand a licensee or take any other action provided for in the Uniform Licensing Act, upon grounds that the licensee:

- (1) is guilty of fraud, deceit or misrepresentation in procuring or attempting to procure any license provided for the athletic trainers practice board;
- (2) failure to apply or renew for permanent licensure;

(3) termination of an emergency license shall not preclude applicant from permanent licensure.  
[16.3.10.9 NMAC - N, 11-23-06]

**HISTORY OF 16.3.10 NMAC:** [RESERVED]

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 3 ATHLETIC TRAINERS**  
**PART 11 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES AND VETERANS**

**16.3.11.1 ISSUING AGENCY:** Regulation and Licensing Department New Mexico Athletic Trainers Practice Board, Post Office Box 25101, Santa Fe, NM 87504. [16.3.11.1 NMAC - N, 7/23/15]

**16.3.11.2 SCOPE:** This part sets forth application procedures to expedite licensure for military service members, spouses and veterans. [16.3.11.2 NMAC - N, 7/23/15]

**16.3.11.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to and in accordance with the Athletic Trainers Practice Act, Section 61-14D-1 to 61-14D-19 NMSA 1978. [16.3.11.3 NMAC - N, 7/23/15]

**16.3.11.4 DURATION:** Permanent. [16.3.11.4 NMAC - N, 7/23/15]

**16.3.11.5 EFFECTIVE DATE:** July 23, 2015, unless a later date is cited at the end of a section. [16.3.11.5 NMAC - N, 7/23/15]

**16.3.11.6 OBJECTIVE:** The purpose of this part is to expedite licensure for military service members, their spouses and veterans. [16.3.11.6 NMAC - N, 7/23/15]

**16.3.11.7 DEFINITIONS:**

**A.** "Military service member" means a person who is serving in the armed forces of the United States or in an active reserve component of the armed forces of the United States, including the national guard.

**B.** "Recent veteran" means a person who has received an honorable discharge or separation from military service within the two years immediately preceding the date the person applied for an occupational or professional license pursuant to this section. [16.3.11.7 NMAC - N, 7/23/15]

**16.3.11.8 APPLICATION REQUIREMENTS:**

**A.** Applications for registration shall be completed on a form provided by the board.

**B.** The applicant shall provide:

(1) a completed application and corresponding fee pursuant to 16.3.11.8 NMAC;

(2) satisfactory evidence that the applicant is currently licensed in another jurisdiction, including a branch of the United States armed forces, and holds a current license in good standing; the applicant further must provide satisfactory evidence that the applicant has met the minimal licensing requirements in that jurisdiction and that they are substantially equivalent to the licensing requirements for New Mexico licensees in counseling; and

(3) proof of honorable discharge (DD214) or military ID card or accepted proof of military spouse status.

**C.** Electronic signatures will be acceptable for applications submitted pursuant to Section 14-16-1 through 14-16-19 NMSA 1978. [16.3.11.8 NMAC - N, 7/23/15]

**16.3.11.9 RENEWAL REQUIREMENTS:**

**A.** A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for the issuance of a license set forth in 16.3.4 NMAC and for the renewal of a license set forth in 16.3.7 NMAC.

**B.** A license issued pursuant to this section shall be valid for one year or until the next renewal cycle.

**C.** The board office mails license renewal notifications to licensees before the license expiration date. Failure to receive the renewal notification shall not relieve the licensee of the responsibility of renewing the license by the expiration date.

**D.** The renewal application will be available online at the board's website and in paper copy if requested from the board office and must be received at the board office on or before August 31.

**E.** To renew a license, the licensee must submit the following documentation on or before August 31: a completed license renewal application, proof of current cardio pulmonary resuscitation (CPR) certification, automated electronic defibrillator units (AED) certification, proof of current national athletic trainers association - board of certification (NATA-BOC) certification and the applicable renewal fee at the time of renewal.

**F.** A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for the issuance specified in 16.3.4 NMAC and for the renewal of a license specified in 16.3.7 NMAC pursuant to Chapter 61, Articles 2 through 30 NMSA 1978. [16.3.11.9 NMAC - N, 7/23/15]

**HISTORY OF 16.3.11 NMAC:** [RESERVED]

**New Mexico Statutes (unannotated) 1978 Compilation**  
Current through the First Special Session of the Fifty-Third Legislature, and Laws 2018, Ch. 1  
Includes Rules effective March 1, 2018

**CHAPTER 61 Professional and Occupational Licenses**  
**ARTICLE 14D Athletic Trainer Practice**

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**61-14D-1. Short title. (Repealed effective July 1, 2022.)**

Chapter 61, Article 14D NMSA 1978 may be cited as the "**Athletic Trainer Practice Act**".

**History:** 1978 Comp., § 61-14D-1, enacted by Laws 1993, ch. 325, § 1; 2000, ch. 4, § 11.

**61-14D-2. Purpose. (Repealed effective July 1, 2022.)**

In the interest of public health, safety and welfare and to protect the public from the unprofessional, improper, incompetent and unlawful practice of athletic training, it is necessary to provide laws and regulations to govern the granting of the privilege to practice as an athletic trainer. The primary responsibility and obligation of the athletic trainer practice board is to protect the public.

**History:** 1978 Comp., § 61-14D-2, enacted by Laws 1993, ch. 325, § 2.

**61-14D-3. Definitions. (Repealed effective July 1, 2022.)**

As used in the Athletic Trainer Practice Act:

- A. "athlete" means a person trained to participate in exercise requiring physical agility and stamina;
- B. "athletic trainer" means a person who, with the advice and consent of a licensed physician, practices the treatment, prevention, care and rehabilitation of injuries incurred by athletes;
- C. "board" means the athletic trainer practice board;
- D. "clinical assessment" means obtaining a history of an athletic injury, inspection and palpation of an injured part and associated structures and performance of testing techniques related to stability and function to determine the extent of an injury;
- E. "department" means the regulation and licensing department;
- F. "district" means an area having the same boundaries as a congressional district in the state;
- G. "emergency care" means the application of first aid, determination of whether an injury is life-threatening and referral to an appropriately licensed health care provider if an injury requires further definitive care or the injury or condition is outside an athletic trainer's scope of practice;
- H. "licensed physician" means a chiropractor, osteopath or physician licensed pursuant to Article 4, 6 or 10 of Chapter 61 NMSA 1978;
- I. "preventive services" means treatment of injuries through pre-activity screening and evaluation, educational programs, application of commercial products, use of protective equipment and physical conditioning and reconditioning programs; and
- J. "therapeutic intervention and rehabilitation" means treatment of injuries through the application of exercise, the use of physical modalities such as heat, light, sound, cold, electricity or mechanical devices, therapeutic activities, preventive services and standard reassessment techniques and procedures in accordance with established, written athletic training service plans and upon the order or protocol of a licensed physician. **History:** 1978 Comp., § 61-14D-3, enacted by Laws 1993, ch. 325, § 3; 2017, ch. 86, § 1.

**61-14D-4. License required. (Repealed effective July 1, 2022.)**

- A. Unless licensed pursuant to the Athletic Trainer Practice Act, no person shall:
  - (1) practice as an athletic trainer as defined in the Athletic Trainer Practice Act;
  - (2) use the title or represent himself as a licensed athletic trainer or use any other title, abbreviation, letters, figures, signs or devices that indicate the person is licensed to practice as an athletic trainer; or
  - (3) advertise, hold out to the public or represent in any manner that he is authorized to practice athletic training in the jurisdiction. **History:** 1978 Comp., § 61-14D-4, enacted by Laws 1993, ch. 325, § 4.

**61-14D-5. Exemptions. (Repealed effective July 1, 2022.)**

A. Nothing in the Athletic Trainer Practice Act shall be construed:

(1) as preventing qualified members of other recognized professions that are licensed, certified or regulated under New Mexico law or regulation from rendering services within the scope of their license, certification or regulation, provided they do not represent themselves as licensed athletic trainers;

(2) as preventing the practice of athletic training by a student enrolled in a program of study at a nationally accredited institution approved by the board; provided that the student renders services pursuant to a course of instruction or assignment under the supervision of a licensed athletic trainer; or

(3) as requiring any school district to employ an athletic trainer.

**History:** 1978 Comp., § 61-14D-5, enacted by Laws 1993, ch. 325, § 5.

**61-14D-6. Scope of practice. (Repealed effective July 1, 2022.)**

The practice of athletic training includes preventive services, emergency care, clinical assessment, therapeutic intervention and rehabilitation of injuries and medical conditions of athletes. Athletic trainers act as allied medical providers through collaboration with licensed physicians, pursuant to the written prescription, standing order or protocol of a licensed physician.

**History:** 1978 Comp., § 61-14D-6, enacted by Laws 1993, ch. 325, § 6; 2017, ch. 86, § 2.

**61-14D-7. Board created. (Repealed effective July 1, 2022.)**

A. There is created the "**athletic trainer practice board**".

B. The board shall be administratively attached to the department.

C. The board shall consist of five members who are United States citizens and have been New Mexico residents for at least three years prior to their appointment. Members of the board shall be appointed by the governor for staggered terms of three years each. Three of the members shall be athletic trainers licensed pursuant to provisions of the Athletic Trainer Practice Act. One member shall be employed by a high school. Two members shall represent the public and have no financial interest, direct or indirect, in the occupation regulated. One public member shall be from any area north of interstate 40 in the state and one public member shall be from any area south of interstate 40 in the state. Board members shall reside in separate districts. Board members shall serve until their successors have been appointed.

D. Members of the board shall be reimbursed as provided in the Per Diem and Mileage Act [10-8-1 through 10-8-8 NMSA 1978] and shall receive no other compensation, perquisite or allowance.

E. A simple majority of the board members currently serving shall constitute a quorum of the board.

F. The board shall meet at least once a year and at such other times as it deems necessary.

G. No board member shall serve more than two consecutive terms. Any member failing to attend three meetings, after proper notice, shall automatically be recommended to be removed as a board member, unless excused for reasons set forth in board regulations.

H. The board shall elect a chairman and other officers as deemed necessary to administer its duties.

**History:** 1978 Comp., § 61-14D-7, enacted by Laws 1993, ch. 325, § 7; 2005, ch. 125, § 1.

**61-14D-8. Department duties. (Repealed effective July 1, 2022.)**

The department, in consultation with the board, shall:

- A. process applications and conduct and review the required examinations;
- B. issue licenses and provisional permits to applicants who meet the requirements of the Athletic Trainer Practice Act;
- C. administer, coordinate and enforce the provisions of the Athletic Trainer Practice Act and investigate persons engaging in practices that may violate the provisions of that act;
- D. conduct any required examinations of applicants;
- E. hire staff as may be necessary to carry out the actions of the board;
- F. maintain board records, including financial records; and
- G. maintain a current register of licensees as a matter of public record.

**History:** 1978 Comp., § 61-14D-8, enacted by Laws 1993, ch. 325, § 8; 2005, ch. 125, § 2.

**61-14D-9. Board powers and duties. (Repealed effective July 1, 2022.)**

The board:

- A. shall select and provide for the administration of examinations for licensure no less often than semiannually;
- B. shall establish the passing scores for the New Mexico laws and regulation examinations;
- C. shall determine eligibility of individuals for licensure;
- D. shall set fees for administrative services and licenses as authorized by the Athletic Trainer Practice Act, and authorize all disbursements necessary to carry out the provisions of that act;
- E. shall review license applications and recommend approval or disapproval;
- F. may adopt and file, in accordance with the State Rules Act [Chapter 14, Article 4 NMSA 1978], rules and regulations necessary to carry out the provisions of the Athletic Trainer Practice Act;
- G. may take any disciplinary action allowed by and in accordance with the provisions of the Uniform Licensing Act [61-1-1 through 61-1-31 NMSA 1978];
- H. may conduct hearings upon charges relating to the discipline of licensees, including the denial, suspension or revocation of a license;
- I. may adopt a code of ethics; and
- J. may require and establish criteria for continuing education.

**History:** 1978 Comp., § 61-14D-9, enacted by Laws 1993, ch. 325, § 9; 2005, ch. 125, § 3.

**61-14D-10. Requirements for licensure. (Repealed effective July 1, 2022.)**

The board shall issue a license to practice as an athletic trainer to any person who files a completed application, accompanied by the required fees and documentation and who submits satisfactory evidence that the applicant:

- A. has completed a baccalaureate degree;
- B. is currently competent in cardiopulmonary resuscitation and in the use of automated electrical defibrillator units; and
- C. demonstrates professional competence by passing the national certification examination recognized by the board and an examination on New Mexico laws and regulations pertaining to athletic trainers prescribed by the board.

**History:** 1978 Comp., § 61-14D-10, enacted by Laws 1993, ch. 325, § 10; 2005, ch. 125, § 4.



**61-14D-11. Examinations. (Repealed effective July 1, 2022.)**

Applicants shall demonstrate professional competency by passing the New Mexico laws and regulations examination. The board shall establish the board-approved examinations application deadline and the requirements for re-examination if the applicant has failed the examination.

**History:** 1978 Comp., § 61-14D-11, enacted by Laws 1993, ch. 325, § 11; 2005, ch. 125, § 5.

**61-14D-12. Provisional permit. (Repealed effective July 1, 2022.)**

A. An applicant for licensure who has passed the New Mexico state law and regulations examination may obtain a provisional permit to engage in the practice of athletic training; provided that the applicant meets all licensure requirements except for passing the national certification exam for athletic trainers. The applicant must provide proof of registration to take the national certification examination.

B. The provisional permit is valid until the results of the national certification examination have been received in the board office.

C. If the applicant should fail or not take the national certification examination, upon proof of re-registration for the national certification examination, the applicant will be issued a second provisional permit. No more than two provisional permits shall be issued to an individual.

**History:** 1978 Comp., § 61-14D-12, enacted by Laws 1993, ch. 325, § 12; 2005, ch. 125, § 6.

**61-14D-13. License renewal. (Repealed effective July 1, 2022.)**

A. Each licensee shall renew his license annually by submitting a renewal application on a form provided by the board.

B. The board may require proof of continuing education, current cardiopulmonary resuscitation certification and certification in the use of automated electrical defibrillator units as a requirement for renewal.

C. If a license is not renewed by the expiration date, the license will be considered expired and the licensee shall refrain from practicing. A licensee may renew a license within the allotted grace period by submitting to the board payment of the renewal fee and late fee and proof of compliance with all renewal requirements. Upon receipt of payment and proof of meeting any continuing education requirements by the board, the licensee may resume practice. Failure to receive renewal notice and application for renewal of license from the board does not excuse a licensed athletic trainer from the requirements for renewal.

D. A license granted by the board shall automatically expire if the licensee fails to apply for the renewal license provided for in this section within thirty days of the renewal deadline. Reinstatement of an expired license will require the licensee to reapply and meet all current standards for licensure.

**History:** 1978 Comp., § 61-14D-13, enacted by Laws 1993, ch. 325, § 13; 2005, ch. 125, § 7.

**61-14D-14. Fees. (Repealed effective July 1, 2022.)**

The board shall establish a schedule of reasonable fees for applications, licenses, provisional permits, renewal of licenses, placement on inactive status and necessary administrative fees and initial prorated licensing fees. **History:** 1978 Comp., § 61-14D-14, enacted by Laws 1993, ch. 325, § 14; 2005, ch. 125, § 8.

**61-14D-15. Criminal Offenders Employment Act. (Repealed effective July 1, 2022.)**

The provisions of the Criminal Offender Employment Act [28-2-1 to 28-2-6 NMSA 1978] shall govern any consideration of criminal records required or permitted by the Athletic Trainer Practice Act.

**History:** 1978 Comp., § 61-14D-15, enacted by Laws 1993, ch. 325, § 15.

**61-14D-16. Disciplinary proceedings; judicial review; application of Uniform Licensing Act. (Repealed effective July 1, 2022.)**

A. In accordance with the provisions of the Uniform Licensing Act [61-1-1 through 61-1-31 NMSA 1978], the board may deny, revoke or suspend any license held or applied for under the Athletic Trainer Practice Act upon findings by the board that the licensee or applicant:

- (1) is guilty of fraud, deceit or misrepresentation in procuring or attempting to procure a license provided for in the Athletic Trainer Practice Act;
- (2) has been convicted of a felony. A certified copy of the record of conviction shall be conclusive evidence of such conviction;
- (3) is guilty of incompetence;
- (4) is guilty of unprofessional conduct;
- (5) is guilty of dispensing, administering, distributing or using a controlled substance, as defined in the Controlled Substances Act [Chapter 30, Article 31 NMSA 1978], or is addicted to any vice to such a degree that it renders him unfit to practice as an athletic trainer;
- (6) has violated any provisions of the Athletic Trainer Practice Act;
- (7) is guilty of willfully or negligently practicing beyond the scope of athletic training as defined in the Athletic Trainer Practice Act;
- (8) is guilty of aiding or abetting the practice of athletic training by a person not licensed by the board;
- (9) is guilty of practicing without a provisional permit or license in violation of the Athletic Trainer Practice Act and its regulations; or
- (10) has had a license, certificate or registration to practice as an athletic trainer revoked, suspended or denied in any jurisdiction, territory or possession of the United States or another country for actions of the licensee similar to acts described in this subsection. A certified copy of the record of the jurisdiction taking such disciplinary action shall be conclusive evidence of the revocation, suspension or denial.

B. Disciplinary proceedings may be instituted by the sworn complaint of any person and shall conform to the provisions of the Uniform Licensing Act. Any party to a hearing may obtain a copy of the hearing record upon payment of costs for the copy.

C. Any person filing a sworn complaint shall be immune from liability arising out of civil action, provided the complaint is filed in good faith and without actual malice.

**History:** 1978 Comp., § 61-14D-16, enacted by Laws 1993, ch. 325, § 16; 2005, ch. 125, § 9.

**61-14D-17. Penalties. (Repealed effective July 1, 2022.)**

Any person who violates any provision of the Athletic Trainer Practice Act is guilty of a misdemeanor and upon conviction shall be punished as provided in Section 31-19-1 NMSA 1978.

**History:** 1978 Comp., § 61-14D-17, enacted by Laws 1993, ch. 325, § 17.

**61-14D-18. Fund established. (Repealed effective July 1, 2022.)**

A. There is created in the state treasury the "athletic trainer practice board fund".

B. All money received by the board under the Athletic Trainer Practice Act shall be deposited with the state treasurer for credit to the fund. The state treasurer shall invest the fund as other state funds are invested. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary. Balances credited to the fund shall remain in the fund and shall not revert to the general fund.

C. Money in the fund is appropriated to the board and shall be used only for the purpose of meeting the necessary expenses incurred in carrying out the provisions of the Athletic Trainer Practice Act.

**History:** 1978 Comp., § 61-14D-18, enacted by Laws 1993, ch. 325, § 18.

**61-14D-19. Termination of agency life; delayed repeal. (Repealed effective July 1, 2022.)**

The athletic trainer practice board is terminated on July 1, 2021 pursuant to the provisions of the Sunset Act [12-9-11 through 12-9-21 NMSA 1978]. The board shall continue to operate according to the provisions of the Athletic Trainer Practice Act until July 1, 2022. Effective July 1, 2022, Chapter 61, Article 14D NMSA 1978 is repealed.

**History:** 1978 Comp., §61-14D-19, enacted by Laws 1993, ch.325, §19; 2000, ch.4, §12; 2005, ch.208, §13; 2015, ch.119, §16.