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SENATE BILL 140

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Gerald Ortiz y Pino

AN ACT

RELATING TO LICENSURE; MANDATING ESTABLISHMENT OF A REQUIREMENT FOR A PRACTICAL EXAMINATION FOR LICENSURE APPLICANTS PURSUANT TO THE ACUPUNCTURE AND ORIENTAL MEDICINE PRACTICE ACT; ALLOWING ESTABLISHMENT OF A REQUIREMENT FOR AN ADDITIONAL NATIONAL PRACTICAL EXAMINATION FOR THOSE APPLICANTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-14A-11 NMSA 1978 (being Laws 1993, Chapter 158, Section 19, as amended) is amended to read:

"61-14A-11. EXAMINATIONS.--

A. The board shall establish procedures to ensure that examinations for licensing are offered at least once a year.

B. The board shall establish the deadline for receipt of the application for licensing examination and other

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1 rules relating to the taking and retaking of licensing  
2 examinations.

3 C. The board shall establish the passing grades for  
4 its approved examinations.

5 D. The board may approve, and use as a basis for  
6 licensure, examinations that are used for national  
7 certification or other examinations.

8 E. The board shall require each qualified applicant  
9 to pass a validated, objective written examination that covers  
10 areas that are not included in other examinations approved by  
11 the board, including, as a minimum, the following subjects:

12 (1) anatomy and physiology;

13 (2) pathology;

14 (3) diagnosis;

15 (4) pharmacology; and

16 (5) principles, practices and treatment  
17 techniques of acupuncture and oriental medicine.

18 F. The board may require each qualified applicant  
19 to pass a validated, objective national practical examination  
20 ~~[that covers areas that are not included in other examinations~~  
21 ~~approved by the board and that demonstrates his]~~ in addition to  
22 any other examination required pursuant to Subsection G of this  
23 section. A national practical examination required by the  
24 board shall test the qualified applicant's knowledge of and  
25 skill in the application of the diagnostic and treatment

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1 techniques of acupuncture and oriental medicine.

2 G. The board shall require each qualified applicant  
3 to pass a written [~~or~~] and a practical examination [~~or both~~]  
4 in the following subjects:

5 (1) hygiene, sanitation and clean-needle  
6 technique; and

7 (2) needle and instrument sterilization  
8 techniques.

9 H. The board may require each qualified applicant  
10 to pass a written examination on the state laws and rules that  
11 pertain to the practice of acupuncture and oriental medicine.

12 I. If English is not the primary language of the  
13 applicant, the board may require that the applicant pass an  
14 English proficiency examination prescribed by the board."

15 SECTION 2. EFFECTIVE DATE.--The effective date of the  
16 provisions of this act is July 1, 2020.