TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 25 VETERINARY MEDICINE PRACTITIONERS
PART 1 GENERAL PROVISIONS

16.25.1.1 ISSUING AGENCY: New Mexico Board of Veterinary Medicine.
[16.25.1.1 NMAC - Rp, 16.25.1.1 NMAC, xx-xx-2014]

16.25.1.2 SCOPE: These rules apply to all veterinarians, veterinary technicians, bovine artificial insemination technicians, bovine pregnancy diagnosis technicians, and veterinary facilities.
[16.25.1.2 NMAC - Rp, 16.25.1.2 NMAC, xx-xx-2014]

16.25.1.3 STATUTORY AUTHORITY: NMSA 1978, Section 61-14-5 (F), directs the board of veterinary medicine to adopt, regularly review and revise rules necessary to carry out the provisions of the Veterinary Practice Act after a hearing open to the public.
[16.25.1.3 NMAC - Rp, 16.25.1.3 NMAC, xx-xx-2014]

16.25.1.4 DURATION: Permanent.
[16.25.1.4 NMAC - Rp, 16.25.1.4 NMAC, xx-xx-2014]

16.25.1.5 EFFECTIVE DATE: XX-XX, 2014 unless a later date is cited at the end of a section.
[16.25.1.5 NMAC - Rp, 16.25.1.5 NMAC, xx-xx-2014]

16.25.1.6 OBJECTIVE: To promote, preserve and protect the public health, safety and welfare by regulating the practice of veterinarians, veterinary technicians, bovine artificial insemination technicians, and bovine pregnancy diagnosis technicians; to establish the authority to take action against any licensee or permittee for failure to meet set minimum standards for licensure or permit certification as promulgated by the board; and to inspect and regulate veterinary facilities to further protect the public.
[16.25.1.6 NMAC - Rp, 16.25.1.6 NMAC, xx-xx-2014]

16.25.1.7 DEFINITIONS:

A. "Aseptic surgery" means procedures performed under conditions free of pathogenic micro-organisms.

B. "Board" means the New Mexico board of veterinary medicine.

C. "Bovine AI/PD examiner" means the individual the board has designated to prepare and administer the bovine AI and bovine PD examinations and who recommends to the board those individuals who qualify for bovine AI and bovine PD permits.

D. "Bovine artificial insemination (AI) technician" means an individual who has met the requirements for and has been granted by the New Mexico board of veterinary medicine a permit to perform artificial insemination on cattle.

E. "Bovine pregnancy diagnosis (PD) technician" means an individual who has met the requirements for and has been granted by the New Mexico board of veterinary medicine a permit to perform pregnancy diagnosis on cattle.

F. "Clean surgery" means the performance of a surgical operation for the treatment of a condition and under circumstances which, consistent with the standards of good veterinary medicine, do not warrant the use of aseptic surgical procedures.

G. "Disinfection" means the destruction of pathogenic microorganisms.

H. "Facility" means a building, kennel, mobile practice unit vehicle, animal shelter, pet shop, animal supply store, fixed facility, fixed mobile facility, mobile facility, and vaccination clinic where "the practice of veterinary medicine" including aseptic surgery regularly occurs as defined in NMSA 1978, Section 61-14-2.B (1), (2), and (3), to include regularly scheduled vaccination clinics or any other veterinary services.

(1) "Animal shelter" means a state, city, county, or private facility where a veterinary clinic operates.

(2) "Pet shop" means a store that sells animals and has an operating veterinary clinic.

(3) "Animal supply store" means a store that sells animal supplies and has an operating veterinary clinic.

(4) "Fixed facility" means a building where the practice of veterinary medicine regularly occurs.

(5) "Fixed mobile facility" means the primary place of operation is a fixed building from where mobile services are directed.

(6) "Mobile veterinary practice" means providing a wide range of medical or surgical services in a movable trailer, pickup truck, motor home, or other vehicle designed or modified to function as a veterinary practice facility.

(7) "Vaccination clinic" means vaccinations are administered outside of a house call setting and do not use a mobile vehicle.

I. "Graduate of a non-AVMA accredited school" or "foreign veterinary graduate" means a person who has graduated from a school of veterinary medicine which is not accredited by the American veterinary medical association (AVMA).

J. "Graduate veterinarian" means a person who has a degree of doctor of veterinary medicine or its equivalent.

K. "Infectious waste" means those solid wastes contaminated with organisms which may cause human disease and may reasonably be suspected of harboring human pathogenic organisms or may pose a threat or potential hazard to human health. In terms of veterinary medicine, this includes but is not limited to the following: animal tissue, bedding and other wastes from animals known or suspected to be infected with a pathogen which also causes human disease, provided that prevailing evidence indicates that such tissue, bedding or other waste may act as a vehicle of transmission to humans.

L. "Practice of veterinary medicine" means the diagnosis and treatment of animal diseases by traditional methods which include but are not limited to prescribing drugs and medication, administering techniques and procedures including surgical procedures, and other methods which include but are not limited to chiropractic, physical therapy, acupuncture, acupressure, homeopathy, therapeutic massage, dentistry, and embryo transfer.

M. "Sharps" means any discarded article that may cause punctures or cuts. Such wastes may include but are not limited to needles, scalpel blades, glass slides, glassware, suture needles, and trocars.

N. "Small animal mobile facility" means a trailer or mobile unit established to function as a veterinary site which concentrates in providing veterinary services to common domestic household pets.

O. "Sterilization" means the complete destruction of microorganisms by heat, bactericidal chemical compound, radiation or desiccation.

[16.25.1.7 NMAC - Rp, 16.25.1.7 NMAC, xx-xx-2014]

16.25.1.8 MEETINGS:

A. The chairman of the board shall preside at all meetings, preserve order, appoint committees and decide all questions of order subject to appeal to the board. In the absence of the chairman, the vice-chairman or a member of the board shall preside.

B. Examinations shall be administered at a location specified by the board.

[16.25.1.8 NMAC - Rp, 16.25.1.8 NMAC, xx-xx-2014]

16.25.1.9 BOARD MEETING TELEPHONIC ATTENDANCE:

A. Pursuant to the provisions of the Open Meetings Act, NMSA 1978, Section 10-15-1(C), as amended, board members may participate in a meeting of the board by means of a conference telephone or similar communications equipment. Telephonic participation may occur only when it is difficult or impossible for the board member to be physically present; that is, when there are circumstances which make attendance in person extremely burdensome.

B. Each board member participating telephonically must be identified when speaking and all participants must be able to hear all other participants.

C. Members of the public attending the meeting must be able to hear all members of the board and members of the public who speak during the meeting.

[16.25.1.9 NMAC - Rp, 16.25.1.9 NMAC, xx-xx-2014]

16.25.1.10 EXECUTIVE DIRECTOR:

A. The executive director may be a "licensed veterinarian" or any other person deemed by the board qualified to perform the required duties and responsibilities.

B. The duties and responsibilities of the executive director are those detailed in the job description filed in the personnel files of the New Mexico board of veterinary medicine.

C. The position of executive director is an exempt position.

[16.25.1.10 NMAC - Rp, 16.25.1.10 NMAC, xx-xx-2014]

16.25.1.11 INVESTIGATORS AND INSPECTORS:

A. The board hires licensed veterinarians to conduct its investigations of complaints filed with the board and to conduct inspections of veterinary facilities.

B. The duties and responsibilities of the investigator(s) and inspector(s) shall be those detailed in the contracts entered into with the board. The contracts will be maintained in the board office.

[16.25.1.11 NMAC - Rp, 16.25.1.11 NMAC, xx-xx-2014]

16.25.1.12 CLASSIFIED EMPLOYEE(S): The duties of the classified employee(s) of this board are those which are detailed in the job description(s) filed with the state personnel office.

[16.25.1.12 NMAC - Rp, 16.25.1.12 NMAC, xx-xx-2014]

16.25.1.13 ELECTIONS OF BOARD OFFICERS: The board of veterinary medicine elects a chairman, vice-chairman, and secretary. Elections are held annually. Officers may be re-elected. Any member of the board may serve as an officer.

[16.25.1.13 NMAC - Rp, 16.25.1.13 NMAC, xx-xx-2014]

HISTORY OF 16.25.1 NMAC:

Pre-NMAC History:

BVE 93-9, Rules Governing Executive Director, 11-18-1994

History of the Repealed Material:

16 NMAC 25.1, General Provisions - Repealed effective 10-12-2000.

16.25.1 NMAC, General Provisions - Repealed effective XX-XX-14.