TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 25 VETERINARY MEDICINE PRACTITIONERS
PART 11 PARENTAL RESPONSIBILITY COMPLIANCE

16.25.11.1 ISSUING AGENCY: New Mexico Board of Veterinary Medicine
[16.25.11.1 NMAC - Rp, 16.25.11.1 NMAC, xx-xx-2014]

16.25.11.2 SCOPE: Provisions of 16.25.11 NMAC shall apply to all those licensed by the New Mexico Board of Veterinary Medicine.
[16.25.11.2 NMAC – Rp, 16.25.11.2 NMAC, xx-xx-2014]

16.25.11.3 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. The board adopts this part pursuant to the Parental Responsibility, NMSA 1978, Section 40-5(A)(1) through (13), which requires all professional licensing boards to promulgate rules to implement the Parental Responsibility Act.
[16.25.11.3 NMAC - Rp, 16.25.11.3 NMAC, xx-xx-2014]

16.25.11.4 DURATION: Permanent.
[16.25.11.4 NMAC - Rp, 16.25.11.4 NMAC, xx-xx-2014]

16.25.11.5 EFFECTIVE DATE: xx-xx-2014, unless a later date is cited at the end of a section.
[16.25.11.5 NMAC - Rp, 16.25.11.5 NMAC, xx-xx-2014]

16.25.11.6 OBJECTIVE: To ensure that licensees and applicants for licensure from the board of veterinary medicine comply with the Parental Responsibility Act.
[16.25.11.6 NMAC - Rp, 16.25.11.6 NMAC, xx-xx-2014]

16.25.11.7 DEFINITIONS: All terms defined in the Parental Responsibility Act shall have the same meanings in this part. As used in this part:

A. HSD means the New Mexico human services department;

B. statement of compliance means a certified statement from HSD stating that an applicant or licensee is in compliance with a judgment and order for support; and

C. statement of non-compliance means a certified statement from HSD stating that an applicant or licensee is not in compliance with a judgment and order for support.

[16.25.11.7 NMAC - Rp, 16.25.11.7 NMAC, xx-xx-2014]

16.25.11.8 AUTHORITY: The board adopts this part pursuant to the Parental Responsibility Act, NMSA 1978, Section 40-5(A)(1) through (13).
[16.25.11.8 NMAC - Rp, 16.25.11.8 NMAC, xx-xx-2014]

16.25.11.9 DISCIPLINARY ACTION: If an applicant or licensee is not in compliance with a judgment and order for support, the board:

A. shall deny an application for a license;

B. shall deny the renewal of a license; and

C. has grounds for suspension or revocation of the license.

[16.25.11.9 NMAC - Rp, 16.25.11.9 NMAC, xx-xx-2014]

16.25.11.10 CERTIFIED LIST:
Upon receipt of HSD's certified list of obligors not in compliance with a judgment and order for support, the board shall match the certified list against the current list of board licensees and applicants. Upon the subsequent receipt of an application for licensure or renewal, the board shall match the applicant against the current certified list. By the end of the month in which the certified list is received, the board shall report to HSD the names of board applicants and licensees who are on the certified list and the action the board has taken in connection with such applicants and licensees.
[16.25.11.10 NMAC - Rp, 16.25.11.10 NMAC, xx-xx-2014]

16.25.11.11 INITIAL ACTION:
Upon determination that an applicant or licensee appears on the certified list, the board shall:

A. commence a formal proceeding under 16.25.11.9 NMAC to take the appropriate action under 16.25.11.12 NMAC;

B. for current licensees only: informally notify the licensee that the licensee's name is on the certified list, and that the licensee must provide the board with a subsequent statement of compliance from HSD by the earlier of:

(1) the application for license renewal; or

(2) specified date not to exceed 30 days.

If the licensee fails to provide this statement, the board shall commence a formal proceeding under 16.25.11.14 NMAC.
[16.25.11.11 NMAC - Rp, 16.25.11.11 NMAC, xx-xx-2014]

16.25.11.12 NOTICE OF CONTEMPLATED ACTION: Prior to taking any action specified in 16.25.11.11 NMAC, the board shall serve written notice to the applicant or licensee setting forth the grounds, as determined by the board, to take such action and the board's intention to take such action unless the licensee or applicant:

A. mails a certified letter return receipt requested within 20 days after service of the notice requesting a hearing; or

B. provides the board, within 30 days of the date of the notice, a statement of compliance from HSD.

C. If the applicant or licensee disagrees with the determination of non-compliance, or wishes to come into compliance, the applicant or licensee shall contact the HSD child support enforcement division.
[16.25.11.12 NMAC - Rp, 16.25.11.12 NMAC, xx-xx-2014]

16.25.11.13 EVIDENCE AND PROOF: In any hearing under this part, relevant evidence is limited to the following: A statement of non-compliance is conclusive evidence that requires the board to take the appropriate action under 16.25.11.12 NMAC, unless the applicant or licensee provides the board with a subsequent statement of compliance which shall preclude the board from taking any action under this part.
[16.25.11.13 NMAC - Rp, 16.24.11.13 NMAC, xx-xx-2014]

16.25.11.14 ORDER:
When a disciplinary action is taken under this part solely because the applicant or licensee is not in compliance with a judgment and order for support, the order shall state that the application or license shall be reinstated upon presentation of a subsequent statement of compliance. The board may also include any other conditions necessary to comply with board requirements for reapplications or reinstatement of lapsed licenses.
[16.25.11.14 NMAC - Rp, 16-25-11-14 NMAC, xx-xx-2014]

16.25.11.15 PROCEDURES:
Proceedings under this part shall be governed by the Uniform Licensing Act, NMSA 1978, Section 61-1-1.
[16.25.11.15 NMAC - Rp, 16.25.11.15 NMAC, xx-xx-2014]

HISTORY OF 16.25.11 NMAC:
History of Repealed Material:
16 NMAC 25.11, Parental Responsibility - Repealed 05-31-96.
16.25.11 NMAC Parental Responsibility - Repealed effective xx-xx-2014.