

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 20 PHYSICAL THERAPISTS**  
**PART 1 GENERAL PROVISIONS**

**16.20.1.1 ISSUING AGENCY:** New Mexico Physical Therapy Board.  
[12-15-97; 16.20.1.1 NMAC - Rn & A, 16 NMAC 20.1.1, 08-31-00]

**16.20.1.2 SCOPE:** All individuals who wish to practice physical therapy in the state of New Mexico.  
[12-15-97; 16.20.1.2 NMAC - Rn & A, 16 NMAC 20.1.2, 08-31-00]

**16.20.1.3 STATUTORY AUTHORITY:** Sections 61-12-4, 61-12-9, 61-12-14 NMSA 1978.  
[03-29-83 . . . 12-15-97; 16.20.1.3 NMAC - Rn, 16 NMAC 20.1.3, 08-31-00]

**16.20.1.4 DURATION:** Permanent.  
[12-15-97; 16.20.1.4 NMAC - Rn, 16 NMAC 20.1.4, 08-31-00]

**16.20.1.5 EFFECTIVE DATE:** December 15, 1997, unless a later date is cited at the end of a section.  
[12-15-97; 16.20.1.5 NMAC - Rn & A, 16 NMAC 20.1.5, 08-31-00]

**16.20.1.6 OBJECTIVE:** The objective of Part 1 of Chapter 20 is to set forth the provisions which apply to all of Chapter 20, and to all persons and entities affected or regulated by Chapter 20 of Title 16.  
[12-15-97; 16.20.1.6 NMAC - Rn, 16 NMAC 20.1.6, 08-31-00]

**16.20.1.7 DEFINITIONS:** [RESERVED]  
[12-15-97; 16.20.1.7 NMAC - Rn, 16 NMAC 20.1.7, 08-31-00]

**16.20.1.8 TELEPHONE CONFERENCES:** Telephone conferences shall be held in accordance with the Open Meetings Act (Section 10-15-1 NMSA 1978). In accordance with the Open Meetings Act, Section 10-15-1C, board members may participate in a meeting of the board by means of a conference telephone or similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person. 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.  
[12-15-97; 16.20.1.8 NMAC - Rn, 16 NMAC 20.1.8, 08-31-00]

**16.20.1.9 DISPLAY OF LICENSE:**

A. License and renewal certificate - displayed reproduction of the original license and/or the annual renewal certificate is unauthorized. The original license and renewal certificate must be displayed in the principal place of practice. The [~~wallet-sized~~] wallet-size certificate of license renewal may be presented for identification. Reproduction of the original license and/or renewal certificate is authorized for institutional file purpose only. At secondary places of employment, documentation of license must be verified by [~~xerox copy~~] photocopy with a note attached indicating where original license is posted.

B. Consumer information sign - a consumer information sign must be displayed in the principal place of practice. The consumer information sign shall read: Complaints regarding non-compliance with the New Mexico Physical Therapy Practice Act can be directed to: New Mexico Physical Therapy Board, P.O. Box 25101 Santa Fe, NM 87504.  
[12-15-97; 16.20.1.9 NMAC - Rn, 16 NMAC 20.1.9, 08-31-00]

**16.20.1.10 USE OF TITLES:**

A. Only a person holding a license as a physical therapist may use the title “physical therapist,” “licensed physical therapist”, or the letters “P.T.”

B. Only a person holding a license as a physical therapist assistant may use the title “physical therapist assistant”, “licensed physical therapist assistant”, or the letters “P.T.A.”

C. Only a student in a college program accredited or actively pursuing accreditation by the American physical therapy association may use the title “student physical therapist”, or the letters “S.P.T.”

D. Only a student in a college program accredited or actively pursuing accreditation by the American

physical therapy association may use the title “student physical therapist assistant”, or the letters “S.P.T.A.”  
[12-15-97; 16.20.1.10 NMAC - Rn, 16 NMAC 20.1.10, 08-31-00]

**16.20.1.11 BOARD MEMBER REQUIREMENTS:**

A. Board members are required to attend board meetings as scheduled by the board. Any board member failing to attend three (3) consecutive board meetings shall automatically be recommended for removal from the board.

B. Board members may be excused from attending board meetings for any of the reasons set forth below:

- (1) illness;
- (2) death in the immediate family;
- (3) military service;
- (4) inclement weather;
- (5) any other reason deemed appropriate by the president of the board.

[12-15-97; 16.20.1.11 NMAC - Rn, 16 NMAC 20.1.11, 08-31-00]

**16.20.1.12 CONFIDENTIAL INFORMATION:**

A. Confidential information and requests for inspection of public records pertaining to any proceeding before the New Mexico physical therapy board shall be governed by the Inspection of Public Records Act (Section 14-2-1 NMSA 1978).

(1) Copies of public records may be made for any person at a cost to be approved by the board. Under no circumstances will any person be allowed to ~~take~~ remove board records from the board premises, by any means, without permission. Permission to examine, inspect or obtain copies of public records must be obtained from the board administrator.

(2) Complaints against licensees may result in legal action by the board and may involve denial, suspension or revocation of a license and be subject to review and recommendations by legal counsel for the board. Such complaints shall be considered confidential, unless otherwise directed by the board, until final action or disposition is taken on the complaint. A separate legal file shall be maintained for complaints, investigative reports, legal opinions, briefs and other legal papers. The contents of the file shall be considered privileged as documents accumulated in anticipation of legal action except as otherwise provided by law. Provided, however, any proceeding before the board may be made public upon written request of the licensee or applicant involved.

B. Waiver of rules - upon its own motion or by motion of any party showing good cause and such notice as the board or hearing officer may deem proper, the board or any hearing officer may waive the application of any of these General Provisions, except where otherwise precluded by law.

C. Construction and amendment - these rules, and any policies incorporated herein by reference, shall be so constructed by the board or any hearing officer as to secure just and speedy determination of the issues. Amendments to these rules may be made periodically by the board under its general rule-making authority.

[12-15-97; 16.20.1.12 NMAC - Rn, 16 NMAC 20.1.12, 08-31-00]

**16.20.1.13 PARENTAL RESPONSIBILITY ACT (PRA):** By the end of each month in which a certified list is received, the board shall report to the New Mexico human services department the names of board applicants and licensees who are on the certified list as being more than thirty days in arrears in payment of amounts required to be paid pursuant to an outstanding judgment and order for child support in New Mexico, and the action the board has taken in connection with such applicants and licensees.

[12-15-97; 16.20.1.13 NMAC - Rn, 16 NMAC 20.1.13, 08-31-00]

**16.20.1.14 CODE OF ETHICS:** The New Mexico physical therapy board adopts the current [~~American physical therapy association code of ethics~~]New Mexico physical therapy and physical therapist assistant code of ethics as per Section 61-12D-13L NMSA 1978.

A. Physical therapists and physical therapist assistants will honor the significance of patients and their families’ needs, rights, and dignity. When addressing patients’ needs, rights, and dignity, all will be adhered to with confidentiality and compassion.

B. Physical therapists and physical therapist assistants will make appropriate and well informed decisions, regarding patient care, that are within their scope of practice.

C. Physical therapists and physical therapist assistants should avoid conflicts of interest that would impact negatively on a patient's care.

D. Physical therapists and physical therapist assistants will have integrity in all dealings with patients and others associated with their care.

E. Physical therapists and physical therapist assistants will fulfill all professional duties, as required.

F. Physical therapists and physical therapist assistants will seek new ways of improving patient care and encourage best practice skills through continuing education and interaction with other providers.

G. Physical therapists and physical therapist assistants will participate in sound and reasonable business practice.

H. Physical therapists and physical therapist assistants will use proper utilization practice patterns to meet the needs of those they serve.

[16.20.1.14 NMAC - N, 02-15-04; A, 1-12-08]

**16.20.1.15 PUBLIC RECORDS:** Except as provided herein and except as otherwise provided by law, all applications, pleadings, petitions and motions are matters of public record at the time of filing with the board. Upon notification of the defendant, the *notice of contemplated action* and information contained in the complaint file becomes public record and subject to disclosure.

[16.20.1.15 NMAC - N, 03-02-2006]

**HISTORY of 16.20.1 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the Commission of Public Records, State Records Center and Archives:

Rule 89-8, Display of License, filed 8-1-89

Rule 91-8, Display of License, filed 5-8-91

Rule 89-9, Use of Titles, filed 8-1-89

Rule 91-9, Use of Titles, filed, 5-8-91

Rule 92-9, Use of Titles, filed 9-3-92

Rule 89-10, Definition of 61-12-13 Unprofessional Conduct, filed 9-11-89

Rule 91-10, Definition of 61-12-13 Unprofessional Conduct, filed 5-8-91

Rule 94-10, Definition of 61-12-13 Unprofessional Conduct, filed 6-3-94

Rule 91-12, Confidential Information, filed 5-8-91

Rule 94-14, Telephone Conferences, filed 6-3-94

**History of the Repealed Material:** [RESERVED]