



New Mexico
Hospital Association

SENT VIA EMAIL

November 1, 2022

Sheena Ferguson
Executive Director
New Mexico Board of Nursing
Albuquerque, NM 87190

Sent to Sheena.Ferguson@state.nm.us

RE: Proposed Changes to Seven Parts of the Board of Nursing Rules

Dear Director Ferguson and Members of the Board,

On behalf of our 47 New Mexico hospital members and the dedicated nurses they employ and seek to employ, the New Mexico Hospital Association submits for your consideration the following comments regarding proposed amendments to multiple parts of the New Mexico Board of Nursing's (Board) rules as noticed in the September 27, 2022-edition of the New Mexico Register. Our comments specifically address the proposed changes to 16.12.1 NMAC – General Provisions and 16.12.2 NMAC – Nurse Licensure.

We appreciate lawmakers providing a pathway for streamlined and expedited licensing processes for certain professions, including nurses. As you are aware, our state is more than 5,800 registered nurses and clinical nurse specialists short of meeting the national benchmark for the number of nurses per 10,000 county residents.¹ Sustainable efforts to address the nursing workforce shortage are critically important and we consider state membership in the nurse licensure compact, and this new expedited licensure process as part of those efforts.

Our comments below highlight areas of the proposed rules which we feel would benefit from additional information or clarification:

- Definitions of “expedited license” (16.12.1.7(E)(3) NMAC) and “licensure period” (16.12.1.7(L)(7) NMAC)

The proposed definitions of “expedited license” and “licensure period” in the Board’s general provisions rule do not include the length of time for which a provisional expedited license is valid, and the duration is not addressed in any other part of the

¹ New Mexico Health Care Workforce Committee. *2022 Annual Report*. Albuquerque NM: University of New Mexico Health Sciences Center, 2022.

Board's rules. We respectfully request that the Board add the period of time for which an expedited license is valid for purposes of clarity (see §61-1-31.1(B) NMSA, 1978 Uniform Licensing Act – Expedited licensure; issuance).

- Fees for licensure by examination or endorsement (16.12.2.8 NMAC)

The structure for licensing fees does not include an amount for an expedited license, though the proposed expedited license provisions (16.12.2.9(L) NMAC, 16.12.2.12(E) NMAC, 16.12.2.13(E) NMAC, and 16.12.2.14(D) NMAC) each require that a fee be paid. Prior to finalizing these rule changes, we request that the Board add the applicable fee for an expedited license.

- Internal cross-references in 16.12.2 NMAC.

Due to the re-numbering of subsections of the nurse licensure regulation, two internal cross-references point to incorrect subsections. Below are the internal cross-references as included in the proposed rule and the correct locations:

- 16.12.2.12(F)(1) NMAC cross-references to 16.12.2.13(A) NMAC, the correct cross-reference is 16.12.12(A) NMAC.
- 16.12.2.13(F)(1) NMAC cross-references to 16.12.2.14(A) NMAC, the correct cross-reference is 16.12.13(A) NMAC.

The Board's ongoing work to develop efficient licensing requirements and procedures that also protect the health and safety of the public is important to our members as they work diligently to recruit nurses to meet the healthcare needs of the communities they serve. The Board's work in this area is greatly appreciated.

Thank you for considering our comments and please do not hesitate to contact me at tclark@nmhsc.com with any questions.

Sincerely,



Troy Clark
President and CEO