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HOUSE BILL 232

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Patricio Ruiloba

AN ACT

RELATING TO PROFESSIONAL LICENSURE; AMENDING A SECTION OF THE
ACUPUNCTURE AND ORIENTAL MEDICINE PRACTICE ACT TO CLARIFY
EXPANDED PRACTICE AND ADD SUBSTANCES TO PRESCRIPTIVE AUTHORITY.

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

SECTION 1. Section 61-14A-8.1 NMSA 1978 (being Laws 2000,
Chapter 53, Section 12, as amended) is amended to read:

"61-14A-8.1. EXPANDED PRACTICE AND PRESCRIPTIVE
AUTHORITY--CERTIFICATIONS.--

A. The board shall issue certifications, as
determined by rule of the board, for expanded practice and
prescriptive authority only for the substances enumerated in
Paragraphs (1) and (2) of Subsection C of this section to a
doctor of oriental medicine who has submitted completed forms
provided by the board, paid the application fee for

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1 certification and submitted proof of successful completion of
2 additional training required by rule of the board. The board
3 shall adopt the rules determined by the board of pharmacy for
4 additional training required for the prescribing,
5 administering, compounding or dispensing of caffeine, procaine,
6 oxygen, epinephrine and bioidentical hormones [~~The~~]; provided
7 that the board and the board of pharmacy shall consult as
8 appropriate regarding rules adopted pursuant to this
9 subsection.

10 B. The board shall issue certifications in the
11 [~~four~~] five expanded [~~practices~~] practice categories of basic
12 injection therapy, injection therapy, intravenous therapy
13 [~~and~~], bioidentical hormone therapy and holistic integrative
14 medicine. The board shall issue certification in holistic
15 integrative medicine to any doctor of oriental medicine who is
16 certified in all of the following:

- 17 (1) injection therapy;
- 18 (2) intravenous therapy; and
- 19 (3) bioidentical hormone therapy.

20 C. A doctor of oriental medicine certified in
21 holistic integrative medicine is authorized to compound,
22 dispense and administer all of the substances listed in
23 Subsection D of this section.

24 [~~G.~~] D. The expanded practice and prescriptive
25 authority shall include:

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1 (1) the prescribing, administering,
2 compounding and dispensing of:

3 (a) herbal medicines, homeopathic
4 medicines, vitamins, minerals, amino acids, proteins, enzymes,
5 carbohydrates, lipids, glandular products, natural substances,
6 natural products, natural medicines, protomorphogens, live cell
7 products, gerovital, dietary and nutritional supplements,
8 cosmetics as they are defined in the New Mexico Drug, Device
9 and Cosmetic Act and nonprescription drugs as they are defined
10 in the Pharmacy Act; and

11 (b) any substance necessary to
12 manufacture, compound, stabilize, preserve or administer the
13 substances listed in Subparagraph (a) of this paragraph; and

14 (2) the prescribing, administering,
15 compounding and dispensing of the following dangerous drugs or
16 controlled substances as ~~[they]~~ dangerous drugs and controlled
17 substances are defined in the New Mexico Drug, Device and
18 Cosmetic Act, the Controlled Substances Act or the Pharmacy
19 Act, if the prescribing doctor of oriental medicine has
20 fulfilled the requirements for expanded practice and
21 prescriptive authority in accordance with the rules promulgated
22 by the board for the substances ~~[enumerated in this paragraph]~~
23 listed in Subparagraph (a) of Paragraph (1) of this subsection:

24 (a) sterile water;

25 (b) sterile saline;

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- 1 (c) sarapin or its generic;
2 (d) caffeine;
3 (e) procaine;
4 (f) lidocaine;
5 (g) ropivacaine;
6 (h) nitrous oxide;
7 [~~(f)~~] (i) oxygen;
8 (j) diphenhydramine;
9 [~~(g)~~] (k) epinephrine;
10 [~~(h)~~] (l) vapocoolants;
11 [~~(i)~~] (m) bioidentical hormones;
12 (n) substances used for detoxification
13 and chelation;
14 [~~(j)~~] (o) biological products, including
15 therapeutic serum; and
16 [~~(k)~~] (p) any of the drugs or substances
17 enumerated in Paragraph (1) of this subsection if at any time
18 those drugs or substances are classified as dangerous drugs or
19 controlled substances.
20 [~~D-~~] E. When compounding drugs for their
21 patients, doctors of oriental medicine certified for expanded
22 practice and prescriptive authority shall comply with the
23 compounding requirements for licensed health care
24 professionals in the United States pharmacopeia and national
25 formulary."

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