

**TITLE 16            OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 5        DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)**  
**PART 23           DENTAL HYGIENISTS, CONTINUING EDUCATION REQUIREMENTS**

**16.5.23.1           ISSUING AGENCY:** New Mexico Board of Dental Health Care.  
[9/30/96; 16.5.23.1 NMAC - Rn & A, 16 NMAC 5.23.1, 04/17/06]

**16.5.23.2           SCOPE:** The provisions of Part 23 of Chapter 5 apply to all licensed dental hygienists who are applying to renew their license.  
[9/30/96; 16.5.23.2 NMAC - Rn, 16 NMAC 5.23.2, 04/17/06]

**16.5.23.3           STATUTORY AUTHORITY:** Part 23 of Chapter 5 is promulgated pursuant to the Dental Health Care Act, Section 61-5A-10 NMSA 1978 (1996 Repl. Pam.).  
[9/30/96; 16.5.23.3 NMAC - Rn, 16 NMAC 5.23.3, 04/17/06]

**16.5.23.4           DURATION:** Permanent.  
[9/30/96; 16.5.23.4 NMAC - Rn, 16 NMAC 5.23.4, 04/17/06]

**16.5.23.5           EFFECTIVE DATE:** September 30, 1996, unless a later date is cited at the end of a section.  
[9/30/96; 16.5.23.5 NMAC - Rn & A, 16 NMAC 5.23.5, 04/17/06]

**16.5.23.6           OBJECTIVE:** To establish criteria for continuing education for dental hygienists licensed in New Mexico.  
[9/30/96; 16.5.23.6 NMAC - Rn, 16 NMAC 5.23.6, 04/17/06]

**16.5.23.7           DEFINITIONS:** [RESERVED]  
[9/30/96; 16.5.23.7 NMAC - Rn, 16 NMAC 5.23.7, 04/17/06]

**16.5.23.8           HOURS REQUIRED:** ~~[45 hours of continuing education, a maximum of 30 hours can be on-line, webinars or self study are required during each triennial renewal cycle as defined in 16.5.1 NMAC. Continuing education received after submission of renewal materials but prior to actual expiration date may be used for the requirements of the next renewal cycle. Continuing education requirements are pro-rated at 15 hours per full year of the initial licensing period. Initial licenses issued for less than a full year do not require continuing education for the first renewal.]~~ 45 hours of continuing education are required during each triennial renewal cycle as defined in 16.5.1 NMAC. Continuing education received after submission of renewal materials but prior to actual expiration date may be used for the requirements of the next renewal cycle. Continuing education requirements are pro-rated at 15 hours per year for individuals licensed for less than three years. Initial licenses issued for less than a full year require 15 hours of continuing education for the first renewal.  
[11/21/75, 5/31/95; 16.5.23.8 NMAC - Rn, 16 NMAC 5.23.8, 04/17/06; A, 01/09/12; A, XX/XX/2026]

**16.5.23.9           COURSES REQUIRED:** Continuing education coursework must contribute directly to the practice of dental hygiene and must comply with the requirements of 16.5.1.15 NMAC of these rules. The following courses are required for license renewal:

A. ~~[basic life support (BLS) or cardiac pulmonary resuscitation (CPR): proof of current certification accepted by the American heart association, the American red cross, or the American safety and health institute (ASHI); cannot be a self-study course;]~~ Proof of current basic life support (BLS) or cardiac pulmonary resuscitation (CPR) certification accepted by the American heart association, the American heart association (AHA), the American red cross (ARC), or the American safety and health institute/health and safety institute (ASHI/HSI); cannot be a self-study course.

B. infection control: as further defined in 16.5.1.16 NMAC, a course in infection control techniques and sterilization procedures per renewal period.

C. Ethics and jurisprudence. Proof of completion of a course in ethics or jurisprudence that includes topics related to the New Mexico dental health care act and board rules.

[11/21/75, 4/12/92, 5/21/93, 5/31/95, 9/30/96; 16.5.23.9 NMAC - Rn & A, 16 NMAC 5.23.9, 04/17/06; A, 04/16/08; A, 07/19/10; A, 01/09/12; A, XX/XX/2026]

**16.5.23.10 VERIFICATION OF CONTINUING EDUCATION:** The committee will select renewal applications for verification of continuing education. Audit requests will be included with the renewal notice and those selected individuals will be asked to submit proof of compliance with the continuing education requirements. Continuing education records may be audited by the committee at any time. The records identified in Subsection F of 16.5.1.15 NMAC are considered acceptable forms of documentation. Continuing education records must be maintained for ~~[one year following the renewal cycle in which they are earned.]~~ four years.  
[5/21/93, 9/30/96; 16.5.23.10 NMAC - Rn, 16 NMAC 5.23.10, 04/17/06; A, XX/XX/2026]

**16.5.23.11 EMERGENCY DEFERRAL:**

A. A licensee unable to fulfill the continuing education requirements may apply to the committee for an emergency deferral of the requirements due to extenuating circumstances as defined in 16.5.1.7 NMAC. Deferrals of up to four months may be granted by a designee of the committee.

B. A licensee practicing or residing outside the United States shall not be required to fulfill the continuing education requirements for the period of the absence.

(1) The committee must be notified prior to license expiration that the licensee will be outside the US, including the period of the absence.

(2) Upon return to the US, the licensee shall complete the continuing education required for the years of practice within the US during the renewal cycle, or apply for an emergency deferral.

[3/11/89, 9/30/96; 16.5.23.1 NMAC - Rn, 16 NMAC 5.23.1, 04/17/06; A, 01/09/12]

**HISTORY OF 16.5.23 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 as:

Article XIII, Disciplinary Proceedings, filed 3/12/81.

Article XIII, Disciplinary Proceedings, filed 1/12/82.

Article XIII, Disciplinary Proceedings, filed 3/30/82.

That applicable portion of Article XIII, Disciplinary Proceedings replaced by BOD Rule 12, Continuing Education Requirements, filed 2/9/89.

That applicable portion of BOD Rule 12, Continuing Education Requirements replaced by BODHC Rule DH 5-95, Dental Hygienists, Continuing Education Requirements, filed 5/5/95.

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

**Other History:**

BODHC Rule DH 5-95, Dental Hygienists, Continuing Education Requirements (filed 5/5/95) was renumbered, reformatted, amended and replaced by 16 NMAC 5.23, Dental Hygienists, Continuing Education Requirements, effective 9/30/96.

16 NMAC 5.23, Dental Hygienists, Continuing Education Requirements (filed 9/17/96) renumbered, reformatted, amended and replaced by 16.5.23 NMAC, Dental Hygienists, Continuing Education Requirements effective 04/17/06.