

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 5 DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)**  
**PART 36 DENTAL ASSISTANTS, CONTINUING EDUCATION REQUIREMENTS**

**16.5.36.1 ISSUING AGENCY:** New Mexico Board of Dental Health Care.  
[9/30/96; 16.5.36.1 NMAC - Rn & A, 16 NMAC 5.36.1, 04/17/06]

**16.5.36.2 SCOPE:** The provisions of Part 36 of Chapter 5 apply to all dental assistants with current expanded function certification who are applying to renew their certificate.  
[9/30/96; 16.5.36.2 NMAC - Rn, 16 NMAC 5.36.2, 04/17/06]

**16.5.36.3 STATUTORY AUTHORITY:** Part 36 of Chapter 5 is promulgated pursuant to the Dental Health Care Act, Section 61-5A-10 NMSA 1978 (1996 Repl. Pamp.).  
[9/30/96; 16.5.36.3 NMAC - Rn, 16 NMAC 5.36.3, 04/17/06]

**16.5.36.4 DURATION:** Permanent.  
[9/30/96; 16.5.36.4 NMAC - Rn, 16 NMAC 5.36.4, 04/17/06]

**16.5.36.5 EFFECTIVE DATE:** September 30, 1996, unless a later date is cited at the end of a section.  
[9/30/96; 16.5.36.5 NMAC - Rn & A, 16 NMAC 5.36.5, 04/17/06]

**16.5.36.6 OBJECTIVE:** To establish the requirements for the renewal of expanded function certificates for dental assistants.  
[9/30/96; 16.5.36.6 NMAC - Rn, 16 NMAC 5.36.6, 04/17/06]

**16.5.36.7 DEFINITIONS:** [RESERVED]  
[9/30/96; 16.5.36.7 NMAC - Rn, 16 NMAC 5.36.7, 04/17/06]

**16.5.36.8 HOURS REQUIRED:** ~~[30 hours of continuing education are required during each triennial renewal cycle. 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 10 hours per year for individuals licensed for less than three years.]~~ 30 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 10 hours per year for individuals certified for less than three years. Initial certifications issued for less than a full year require 10 hours of continuing education for the first renewal.  
[8/11/89, 9/30/96, 12/15/97; 16.5.36.8 NMAC - Rn, 16 NMAC 5.36.8, 04/17/06; A, 01/09/12; A, XX/XX/2026]

**16.5.36.9 COURSES REQUIRED:** Continuing education coursework must contribute directly to the practice of dental assisting. The following courses are required for license renewal:  
A. three hours of radiographic technique or safety and protection;  
B. as further defined in 16.5.1.16 NMAC, a course in infection control techniques and sterilization procedures per renewal period; and  
~~[C. proof of current certification in basic life support (BLS) or cardiac pulmonary resuscitation (CPR) accepted by the American heart association the American red cross or the American safety and health institute (ASHI); cannot be a self-study course.]~~  
C. 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.  
[8/11/89, 5/21/93, 5/31/95, 9/30/96; 16.5.36.9 NMAC - Rn & A, 16 NMAC 5.36.9, 04/17/06; A, 07/16/07; A, 07/19/10; A, 01/09/12; A, XX/XX/2026]

**16.5.36.10 VERIFICATION OF CONTINUING EDUCATION:** The board 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 board 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.  
[5/31/95, 9/30/96; 16.5.36.10 NMAC - Rn, 16 NMAC 5.36.10, 04/17/06; A, 01/09/12; A, XX/XX/2026]

**16.5.36.11 EMERGENCY DEFERRAL:** A certificate holder who is unable to fulfill the continuing education requirements may apply to the board 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 board.  
[5/31/95, 9/30/96; 16.5.36.11 NMAC - Rn, 16 NMAC 5.36.11, 04/17/06; A, 01/09/12]

**HISTORY OF 16.5.36 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 XII, Dental Assistants, filed 3/12/81.

Article XII, Dental Assistants, filed 1/12/82.

Article XII, Dental Assistants, filed 8/8/84.

Article XII, Dental Assistants, filed 2/5/88.

BOD Rule 10, Dental Assistants, filed 2/9/89.

That applicable portion of BOD Rule 10 replaced by BODHC Rule DA 2-95, Dental Assistants, Renewal of Certificates, filed 5/5/95.

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

**Other History:**

BODHC Rule DA 2-95, Dental Assistants, Renewal of Certificates (filed 5/5/95) was renumbered, reformatted, amended and replaced by 16 NMAC 5.36, Dental Assistants, Continuing Education Requirements, effective 9/30/96.

16 NMAC 5.36, Dental Assistants, Continuing Education Requirements (filed 9/17/96) renumbered, reformatted, amended and replaced by 16.5.36 NMAC, Dental Assistants, Continuing Education Requirements, effective 04/17/06.