

From: [Chris Mechels](#)
To: [Burmeister, Christopher, DOH](#)
Cc: [Mim Chapman](#)
Subject: [EXT] 7.8.2 Rulemaking comment #3
Date: Monday, September 21, 2020 12:17:08 PM

Dear Sir,

Additional consideration, and research, leads me to question whether you have met the Rules Act requirement at 14-4-5.2;

(2) a short explanation of the purpose of the proposed rule;

Your statement at http://164.64.110.134/nmac/nmregister/xxxi/DOHnotice_xxxi16.html does not explain the purpose of the change; it address only the "what", not the "why". Just exactly WHY is the change necessary? What assumptions support it? Why is the age being lowered from 18 years of age to 16, when the Emergency Rule lowered the age only from 18 years of age to 17? What changed in the interim? These are obvious questions that your superiors would, presumably, ask of you before approving the change. The public, which is the "end consumer" of this change deserve the same answers, and that is the reason for the Rules Act. The DOH seems to forget who they work for; the folks who pay their salaries. The BOSS does not pay those salaries, the public does. An honest exchange is appropriate and necessary. Such exchanges are part of the Legislative process, and must be part of the Rule Making process, as required by the Rules Act. It is the law.

Presumably, you can justify the proposed change. Please do so.

Your

Regards,

Chris Mechels
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