

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 5 DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)
PART 59 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES, DEPENDENT
CHILDREN AND VETERANS

16.5.59.1 ISSUING AGENCY: New Mexico Board of Dental Health Care.
[16.5.59.1 NMAC - Rp, 16.5.59.1 NMAC, 12/5/2021]

16.5.59.2 SCOPE: This part sets forth application procedures to expedite licensure for military service members, spouses, dependent children, and veterans.
[16.5.59.2 NMAC - Rp, 16.5.59.2 NMAC, 12/5/2021]

16.5.59.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to Section 61-1-34 of the Uniform Licensing Act, NMSA 1978, Section 61-1-1 to -34 (1957, as amended through 2013) and the Dental Health Care Act Sections 61-5A-1 through 61-5A -30 NMSA 1978.
[16.5.59.3 NMAC - Rp, 16.5.59.3 NMAC, 12/5/2021]

16.5.59.4 DURATION: Permanent.
[16.5.59.4 NMAC - Rp, 16.5.59.4 NMAC, 12/5/2021]

16.5.59.5 EFFECTIVE DATE: December 5, 2021, unless a later date is cited at the end of a section.
[16.5.59.5 NMAC - Rp, 16.5.59.5 NMAC, 12/5/2021]

16.5.59.6 OBJECTIVE: The purpose of this part is to expedite licensure for military service members, their spouses, their dependent children and for veterans pursuant to Section 61-1-34 NMSA 1978.
[16.5.59.6 NMAC - Rp, 16.5.59.6 NMAC, 12/5/2021]

16.5.59.7 DEFINITIONS:

A. “License” means a license, registration, certificate of registration, certificate, permit or certification.

B. “Licensing Fee” means a fee charged at the time an application for a professional or occupational license is submitted to the state agency, board or commission and any fee charged for the processing of the application for such license; “licensing fee” does not include a fee for an annual inspection or examination of a licensee or a fee charged for copies of documents, replacement license or other expenses related to a professional or occupational license.

C. “Military service member” means a person who is:

- (1)** serving in the armed forces of the United States as an active duty member, or in an active reserve component of the armed forces of the United States, including the national guard, or a surviving spouse of a member who at the time of the member’s death was serving on active duty; or
- (2)** the spouse of a person who is serving in the armed forces of the United States or in an active reserve component of the armed forces of the United States, including the national guard, or a surviving spouse of a member who at the time of the member’s death was serving on active duty; or
- (3)** the child of a person who is serving in the armed forces of the United States as an active duty member, or in an active reserve component of the armed forces of the United States, including the national guard; provided that child is also a dependent of that person for federal income tax purposes.

D. “Substantially equivalent” means the determination by the board that the education, examination, and experience requirements contained in the statutes and rules of another jurisdiction are comparable to, or exceed the education, examination, and experience requirements of the Dental Health Care Act.

E. “Veteran” means a person who has received an honorable discharge or separation from military service.

[16.5.59.7 NMAC - Rp, 16.5.59.7 NMAC, 12/5/2021]

16.5.59.8 APPLICATION REQUIREMENTS:

- A.** Applications for registration shall be completed on a form provided by the board.
 - B.** The applicant shall provide a complete application that includes the following information:
 - (1) applicant's full name;
 - (2) current mailing address;
 - (3) current electronic mail address, if any;
 - (4) date of birth;
 - (5) background status report from a board designated professional background service; and
 - (6) proof as described in Subsection C of 16.5.59.8 NMAC.
 - C.** The applicant shall provide the following satisfactory evidence as follows:
 - (1) applicant is currently licensed and in good standing in another jurisdiction, including a branch of the United States armed forces;
 - (2) applicant has met the minimal licensing requirements in that jurisdiction and the minimal licensing requirements in that jurisdiction are substantially equivalent to licensing requirements for New Mexico; and
 - (3) the following documentation:
 - (a) for military service member: a copy of military orders;
 - (b) for spouse of military service members: copy of military service member's military orders, and a copy of marriage license;
 - (c) for spouses of deceased military service members: copy of decedent's DD 214 and copy of marriage license;
 - (d) for dependent children of military service members; copy of military service member's orders listing dependent child, or a copy of military orders and one of the following: copy of birth certificate, military service member's federal tax return or other governmental or judicial documentation establishing dependency;
 - (e) for veterans (retired or separated): copy of DD 214 showing proof of honorable discharge.
 - D.** The license or registration shall be issued by the board as soon as practicable but no later than thirty days after a qualified military service member, spouse, dependent child, or veteran files a complete application and provides a background report if required for a license, and any required fees.
 - E.** Military service members and veterans shall not pay and the board shall not charge a licensing fee for the first three years for a license issued pursuant to this rule.
 - F.** A license issued pursuant to this section shall be valid for the time period that is specified in the Dental Health Care Act.
 - G.** Electronic signatures will be acceptable for applications submitted pursuant to Section 14-16-1 through Section 14-16-19 NMSA 1978.
- [16.5.59.8 NMAC - Rp, 16.5.59.8 NMAC, 12/5/2021]

16.5.59.9 [RESERVED]
 [16.5.59.9 NMAC - Rp, 16.5.59.9 NMAC, 12/5/2021]

16.5.59.10 RENEWAL REQUIREMENTS:

- A.** A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for renewal set forth in 16.5.11 NMAC, 16.5.24 NMAC, 16.5.35 NMAC, 16.5.43 NMAC, 16.5.51 NMAC, 16.5.63 NMAC pursuant to Chapter 61, Articles 5A NMSA 1978.
 - B.** As a courtesy, the board, will send via electronic mail license renewal notifications to licensees or registrants before the license expiration date to the last known email address on file with the board/commission. Failure to receive the renewal notification shall not relieve the licensee or registrant of the responsibility of timely renewal on or before the expiration date.
- [16.5.59.10 NMAC - Rp, 16.5.59.10 NMAC, 12/5/2021]

HISTORY OF 16.5.59 NMAC: [RESERVED]

History of Repealed Material:

16.5.9 NMAC, Dentistry (Dentists, Dental Hygienists, Etc.) - Licensure for Military Service Members, Spouses and Veterans filed xx/xx/20xx, Repealed effective 12/5/2021.

Other History:

16.5.9 NMAC, Dentistry (Dentists, Dental Hygienists, Etc.) - Licensure for Military Service Members, Spouses and Veterans filed 12/5/2013, was replaced by 16.5.9 NMAC, Dentistry (Dentists, Dental Hygienists, Etc.) - Licensure for Military Service Members, Spouses and Veterans effective 12/5/2021.