

This is an amendment to 16.64.13 NMAC, Sections 2, 3, 6, 7, 8 and 9, effective 12/28/2021.

16.64.13.2 SCOPE: This part sets forth application procedures to expedite licensure for military service members, their spouses, their dependent children, and for veterans pursuant to Section 61-1-34 NMSA 1978.
[16.64.13.2 NMAC - N, 4/30/2015, A, 12/28/2021]

16.64.13.3 STATUTORY AUTHORITY: These rules are ~~promulgated~~ issued pursuant to Funeral Services Act, Chapter 61, Article 32 NMSA 1978.
[16.64.13.3 NMAC - N, 4/30/2015; A, 12/28/2021]

16.64.13.6 OBJECTIVE: The purpose of this part is to expedite licensure for military service members, their spouses, their dependent children, and for veterans pursuant to 61-1-34 NMSA 1978.
[16.64.13.6 NMAC - N, 4/30/2015, A, 12/28/2021]

16.64.13.7 DEFINITIONS:

A. "License" has the same meaning as defined in Paragraph (1) of Subsection F of Section 61-1-34 NMSA 1978.

B. "Licensing fee" has the same meaning as defined in Paragraph (2) of Subsection F of Section 61-1-34 NMSA 1978.

~~[A] C. "Military service member" [means 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.]~~ has the same meaning as defined in Paragraph (3) of Subsection F of Section 61-1-34 NMSA 1978.

~~[B] D. ["Recent veteran" means a person who has received an honorable discharge or separation from military service within the two years immediately preceding the date the person applied for an occupational or professional license pursuant to this section.]~~ "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 Funeral Services Act.

E. "Veteran" has the same meaning as defined in Paragraph (4) of Subsection F of Section 61-1-34 NMSA 1978.

[16.64.13.7 NMAC - N, 4/30/2015; A, 12/28/2021]

16.64.13.8 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) ~~[a completed application and corresponding fee pursuant to 16.64.2.8 NMAC;]~~
applicant's full name;

(2) ~~[satisfactory evidence that the applicant holds a license that is current and in good standing, issued by another jurisdiction, including a branch of armed forces of the United States, that has met the minimal licensing requirements that are substantially equivalent to the licensing requirements for the occupational or professional license the applicant applies for.]~~ current mailing address;

(3) current electronic mail address, if any;

(4) pay applicable fees as set forth in 16.64.2.8 NMAC;

(5) date of birth;

(6) successfully complete the jurisprudence examination outlined in Subsection B of 16.64.5.9 NMAC.

(7) background check; and

(8) proof as described in Subsection C below.

C. ~~[Electronic signatures will be acceptable for applications submitted pursuant to section 14-16-1 through section 14-16-19 NMSA 1978.]~~ The applicant shall provide to the board the following satisfactory evidence:

(1) applicant is currently licensed and in good standing in another jurisdiction;

(2) applicant has met the minimal licensing requirements in that jurisdiction and the minimal licensing requirements in that jurisdiction are substantially equivalent to the licensing requirements for New Mexico; and

(3) the following documentation:

(a) for military service member: copy of military orders;

(b) for spouse of military service members: copy of military service member's military orders, and 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 check 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 Funeral Services Act.

[16.64.13.8 NMAC - N, 4/30/2015; A, 12/28/2021]

16.64.13.9 RENEWAL REQUIREMENTS:

A. A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for [the issuance and for the] renewal [of a license pursuant to 16.64.3 NMAC, requirements for licensure and] set forth in 16.64.7 NMAC [license renewal] pursuant to Chapter 61, Article 32 NMSA 1978.

B. [The licensee must submit the following documents at the time of renewal:

(1) A completed license renewal application.

(2) Verification of continuing education.

(3) The applicable renewal fee.] The board will send by 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. 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.

[C. Original and renewed registrations shall be valid until June 30 unless renewed.]

[16.64.13.9 NMAC - N, 4/30/2015; A, 12/28/2021]