

This is an emergency amendment to 16.10.2 NMAC, Sections 9, 10 and 11 effective 5/11/2022.

16.10.2.9 MEDICAL LICENSE BY EXAMINATION:

A. Prerequisites for licensure: Each applicant for a license to practice as a physician in New Mexico must be of good moral character and must possess the following qualifications:

- (1) graduated and received a diploma from a board approved school, completed a program determined by the board to be substantially equivalent to a U.S. medical school, based on board review of an evaluation by a board approved credential evaluation service, or the board shall, in its sole discretion, determine if the applicant's total educational and professional clinical experience is substantially equivalent to that which is required for licensure in New Mexico; and
- (2) successfully passed one of the examinations or combinations of examinations defined in 16.10.3 NMAC; and
- (3) completed two years of postgraduate training or been approved by the board in accordance with the provisions of Subsection B of Section 61-6-11 NMSA 1978;
- (4) when the board has reason to believe that an applicant for licensure is not competent to practice medicine it may require the applicant to complete a special competency examination or to be evaluated for competence by other means that have been approved by the board; and
- (5) a qualified applicant who has not been actively and continuously in practice for more than two years prior to application may be required to successfully complete a special examination or evaluation such as, but not limited to, the SPEX (special purpose examination), the PLAS (post-licensure assessment system of the federation of state medical boards), or specialty re-certification.

B. Required documentation for all applicants: Each applicant for a license must apply online using HSC as their application processor, submit the required fees as specified in 16.10.9.8 NMAC, application processing fees to HSC, and the following documentation sent directly to HSC:

- (1) a completed signed application with a passport-quality photo taken within the previous six months; applications are valid for one year from the date of receipt by HSC; ~~[the board]~~.
- (2) verification of licensure in all states or territories where the applicant holds or has held a license to practice medicine, or other health care profession; verification must be received directly from the other state board(s), and must attest to the status, issue date, license number, and other information requested and contained on the form; this information will be provided to the board by HSC; ~~[or another board-approved credentials verification service for applicants using that service, or directly to the New Mexico medical board for applicants using FCVS or applying directly to the board;]~~
- (3) two recommendation forms from physicians, chiefs of staff or department chairs or equivalent with whom the applicant has worked and who have personal knowledge of the applicant's character and competence to practice medicine; the recommending physicians must have personally known the applicant and have had the opportunity to personally observe the applicant's ability and performance; ~~[forms must be sent directly to the board from the recommending physician;]~~ this information will be provided by HSC; ~~[or another board-approved credentials verification service for applicants using that service, or directly to the New Mexico medical board for applicants using FCVS or applying directly to the board;]~~
- (4) verification of all work experience and hospital affiliations in the last two years, if applicable, not to include postgraduate training; this information will be provided by HSC; ~~[or another board-approved credentials verification service for applicants using that service, or directly to the New Mexico medical board for applicants using FCVS or applying directly to the board;]~~
- (5) a copy of all American board of medical specialties (ABMS) specialty board certifications, or American osteopathic association bureau of osteopathic specialists (AOA-BOS) if applicable; this information will be provided by HSC; and ~~[or another board-approved credentials verification service for applicants using that service, or directly to the New Mexico medical board for applicants using FCVS or applying directly to the board; and]~~
- (6) the board may request that applicants be investigated by the biographical section of the American medical association (AMA), the drug enforcement administration (DEA), the federation of state medical boards (FSMB), the national practitioner data bank, and other sources as may be deemed appropriate by the board;
- (7) applicants who are not United States citizens must provide proof that they are in compliance with the immigration laws of the United States.

C. Additional documentation for applicants using the FCVS: Applicants are encouraged to use the FCVS as once a credential file is created future applications for medical licensure will be streamlined. However, application through FCVS is not required. Applicants using the FCVS must submit a completed application to the FCVS, who will provide primary source documentation to the board. Only the documents required in Subsection B of 16.10.2.9 are required from HSC in addition to the FCVS report.

D. Additional documentation for applicants using HSC [~~or another board approved credentials verification service~~]:

- (1) status report of educational commission for foreign medical graduates (ECFMG) certification sent directly to [~~the board~~] HSC from ECFMG, if applicable;
- (2) copy of ECFMG interim letter documenting additional postgraduate training for international medical graduates applying through the fifth pathway process, if applicable;
- (3) certified transcripts of exam scores as required in 16.10.3 NMAC sent directly to [~~the board~~] HSC from the testing agency;
- (4) proof of identity may be required; acceptable documents include birth certificate, passport, naturalization documents, and visas.

~~[**E. Additional documentation for applicants applying directly to New Mexico and not using FCVS or HSC or another board approved credentials verification service:**~~

- ~~(1) verification of medical education form with school seal or notarized, sent directly to the board from the school;~~
- ~~(2) transcripts sent directly to the board from the medical school;~~
- ~~(3) status report of ECFMG certification sent directly to the board from ECFMG, if applicable;~~
- ~~(4) copy of ECFMG interim letter documenting additional postgraduate training for international medical graduates applying through the fifth pathway process, if applicable;~~
- ~~(5) postgraduate training form sent to the board directly from the training program;~~
- ~~(6) certified transcripts of exam scores as required in 16.10.3 NMAC sent directly to the board from the testing agency; and~~
- ~~(7) proof of identity may be required; acceptable documents include birth certificate, passport, naturalization documents, and visas;~~
- ~~(8) certified copies of source documents obtained directly from another state licensing jurisdiction who has the original document on file will be accepted in lieu of original documents when the originals cannot be obtained for a valid cause.]~~

~~[**F] E. Licensure process:** Upon receipt of a completed application, including all required documentation and fees, the applicant may be scheduled for a personal interview before the board, a board member designated by the board, or an agent of the board and must present original documents as requested by the board. The initial license will be issued following completion of any required interview, or approval by a member or agent of the board.~~

~~[**G] E. Initial license expiration:** Medical licenses shall be renewed on July 1 following the date of issue. Initial licenses are valid for a period of not more than thirteen months or less than one month. If New Mexico is the first state of licensure, initial licenses are valid for a period of not less than twenty-four months or more than thirty-five months and shall be renewed on July 1.~~

~~[16.10.2.9 NMAC - N, 5/1/2002; A, 1/20/2003; A, 7/1/2003; A, 4/3/2005; A, 10/7/2005; A, 7/1/2006; A, 1/10/2007; A, 1/3/2008; A, 10/11/2013; A, 01/15/2014; A, 2/8/2022; A/E, 5/11/2022]~~

16.10.2.10 MEDICAL LICENSE BY ENDORSEMENT:

A. Prerequisites for licensure: Each applicant for a license to practice as a physician in New Mexico by endorsement must be of good moral character, hold a full and unrestricted license to practice medicine in another state, and possess the following qualifications:

- (1) have practiced medicine in the United States or Canada immediately preceding the application for at least three years;
- (2) be free of disciplinary history, license restrictions, or pending investigations in all jurisdictions where a medical license is or has been held;
- (3) graduated from a board approved school or hold current ECFMG certification; and
- (4) current certification from a medical specialty board recognized by the ABMS or the

AOA-BOS.

B. Required documentation for all applicants: Each applicant for a license must apply online using HSC as their application processor, submit the required fees as specified in 16.10.9.8 NMAC, application processing fee to HSC and the following documentation sent directly to HSC:

(1) a completed signed application with a passport-quality photo taken within the previous six months; applications are valid for one year from the date of receipt by HSC; ~~[the board];~~

(2) verification of licensure in all states or territories where the applicant holds or has held a license to practice medicine, or other health care profession; verification must be received directly from the other state board(s), and must attest to the status, issue date, license number, and other information requested and contained on the form;

(3) two recommendation forms from physicians, chiefs of staff or department chairs or equivalent with whom the applicant has worked and who have personal knowledge of the applicant's character and competence to practice medicine; the recommending physicians must have personally known the applicant and have had the opportunity to personally observe the applicant's ability and performance; forms must be sent directly to ~~[the board]~~ HSC from the recommending physician; ~~[this information will be provided by HSC or another board-approved credentials verification service for applicants using that service, or directly to the New Mexico medical board;]~~

(4) verification of all work experience and hospital affiliations in the last three years, if applicable, not to include postgraduate training; this information will be provided by HSC ~~[or another board-approved credentials verification service for applicants using that service, or directly to the New Mexico medical board;]~~

(5) a copy of all ABMS or AOA-BOS specialty board certifications, if applicable; this information will be provided by HSC ~~[or another board-approved credentials verification service for applicants using that service, or directly to the New Mexico medical board;]~~ and

(6) the board may request that applicants be investigated by the biographical section of the AMA, the DEA, the FSMB, the national practitioner data bank, and other sources as may be deemed appropriate by the board;

(7) applicants who are not U.S. citizens must provide proof that they are in compliance with the immigration laws of the United States.

C. Licensure process: Upon receipt of a completed application, including all required documentation and fees, the applicant may be scheduled for a personal interview before the board, a board member designated by the board, or an agent of the board and must present original documents as requested by the board. The initial license will be issued following completion of any required interview, or approval by a member or agent of the board.

D. Initial license expiration: Medical licenses shall be renewed on July 1 following the date of issue. Initial licenses are valid for a period of not more than thirteen months or less than one month. [16.10.2.10 NMAC - N, 1/20/03; A, 7/1/2003; A, 4/3/05; A, 10/7/05; A, 7/1/06; A, 1/10/07; A, 10/11/13; A, 01/15/14; A, 2/8/2022; A/E, 5/11/2022]

16.10.2.11 TELEMEDICINE LICENSE:

A. Prerequisites for licensure: Each applicant for a telemedicine license must be of good moral character and hold a full and unrestricted license to practice medicine in another state or territory of the United States.

B. Required documentation: Each applicant for a license must apply online using HSC as their application processor, submit the required fees as specified in 16.10.9.8 NMAC, application processing fee to HSC and the following documentation sent directly to HSC:

(1) A completed signed application, with a passport quality photo taken within six months. Applications are valid for one year from the date of receipt.

(2) Verification of licensure in all states where the applicant holds or has held a license to practice medicine, or other health care profession. Verification must be received directly from the other state(s) board, and must attest to the status, issue date, license number, and other information requested and contained on the form.

(3) Applicants who have had previous disciplinary or other action against them may be required to meet with the entire board. The board may, in its discretion, issue a license to practice medicine across state lines if it finds that the previous disciplinary or other action does not indicate that the physician is a potential threat to the public.

C. Licensure process: Upon receipt of a completed application, including all required documentation and fees, board staff will request and review an AMA physician profile and FSMB board action databank search. When the application is complete a member or agent of the board will review and may approve the application. A personal interview is not required unless there is a discrepancy in the application that cannot be resolved.

D. Initial license expiration: Telemedicine licenses shall be renewed on July 1 following the date of issue. Initial licenses are valid for a period of not more than thirteen months or less than one month.

E. Exemption from licensure requirements: are defined in Section 61-6-17 NMSA 1978 of the Medical Practice Act and include a physician licensed to practice under the laws of another state who acts as a consultant to a New Mexico licensed physician on an irregular or infrequent basis not to exceed 10 patients per year. [16.10.2.11 NMAC - Rp 16 NMAC 10.2.13, 4/18/2002; 16.10.2.11 NMAC - Rn & A, 16.10.2.10 NMAC; 1/20/2003; A, 4/3/2005; A, 7/1/2006; A, 1/3/2008; A, 10/11/2013; A/E, 5/11/2022]