

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 13 NURSING HOME ADMINISTRATORS
PART 5 EXPEDITED LICENSURE

16.13.5.1 ISSUING AGENCY: New Mexico Nursing Home Administrators Board.
[16.13.5.1 NMAC – Rp, 16.13.5.1 NMAC, 1/14/2023]

16.13.5.2 SCOPE: The provisions in Part 5 of Chapter 13 apply to all persons applying to the board for nursing home administrator licensure by reciprocity.
[16.13.5.2 NMAC – Rp, 16.13.5.2 NMAC, 1/14/2023]

16.13.5.3 STATUTORY AUTHORITY: Part 5 of Chapter 13 is promulgated pursuant to the Nursing Home Administrators Act, Sections 61-13-6, 61-13-8, 61-13-11, 61-13-12 and 61-13-13 NMSA 1978. (1997 Repl. Pam.).
[16.13.5.3 NMAC – Rp, 16.13.5.3 NMAC, 1/14/2023]

16.13.5.4 DURATION: Permanent.
[16.13.5.4 NMAC – Rp, 16.13.5.4 NMAC, 1/14/2023]

16.13.5.5 EFFECTIVE DATE: January 14, 2023, unless a later date is cited at the end of a section.
[16.13.5.5 NMAC – Rp, 16.13.5.5 NMAC, 1/14/2023]

16.13.5.6 OBJECTIVE: The objective of Part 5 of Chapter 13 is to establish the requirements applicants for licensure by reciprocity must meet in order to be qualified and licensed by the board to practice nursing home administration in New Mexico.
[16.13.5.6 NMAC – Rp, 16.13.5.6 NMAC, 1/14/2023]

16.13.5.7 DEFINITIONS: [RESERVED]

A. “Eligible jurisdiction” means any state or territory of the United States except those included in the list of disapproval licensing jurisdictions in 16.16.4.8 NMAC.

B. “Expedited license” means a provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the board.

C. “Good Standing” means a license is active and not expired, suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a licensee or registrant under the authority of the license.

D. “Jurisdiction” has the same meaning as defined in Subsection F of Section 61-1-2 NMSA 1978.

E. “Licensing fee” has the same meaning as defined in Paragraph (1) of Subsection E of Section 61-1-34 NMSA 1978.

F. “Military service member” has the same meaning as defined in Paragraph (2) of Subsection E of Section 61-1-34 NMSA 1978.

G. “Qualified application” means an applicant who:
(1) holds a current license in good standing in another jurisdiction, as defined by subsection D of this rule;

(2) does not have a disqualifying criminal conviction, as defined in subsection A or 16.13.18.8 NMAC of the board’s rules; and

(3) is not subject to pending disciplinary action in New Mexico.

H. “Veteran” has the same meaning as defined in Paragraph (3) of Subsection E of Section 61-1-34 NMSA 1978.

[16.13.5.7 NMAC – Rp, 16.13.5.7 NMAC, 1/14/2023]

16.13.5.8 LIST OF DISAPPROVED LICENSING JURISDICTIONS:

A. The following jurisdiction on the grounds that the profession does not appear to be licensed or otherwise regulated, and education and examination requirements, if any, cannot be determined:

- (1) American Samoa
- (2) Northern Mariana Islands;
- (3) Puerto Rico;
- (4) U.S Virgin Islands.

B. Unless the applicant holds a baccalaureate degree from an accredited institution approved by the board as preparation for nursing home administration, the following jurisdictions on that grounds that the education requirements cannot be determined to be consistent with New Mexico's requirements:

- (1) Alabama;
- (2) Arkansas;
- (3) Colorado;
- (4) Delaware;
- (5) District of Columbia;
- (6) Georgia;
- (7) Idaho;
- (8) Illinois;
- (9) Indiana;
- (10) Maryland;
- (11) Michigan;
- (12) Mississippi;
- (13) Missouri;
- (14) Montana;
- (15) Nebraska;
- (16) Nevada;
- (17) New Jersey;
- (18) North Carolina;
- (19) North Dakota;
- (20) Ohio;
- (21) Oklahoma;
- (22) Oregon;
- (23) Pennsylvania;
- (24) South Carolina;
- (25) South Dakota;
- (26) Tennessee;
- (27) Utah;
- (28) Vermont;
- (29) Virginia;
- (30) Washington;
- (31) West Virginia;
- (32) Wisconsin;
- (33) Wyoming;
- (34) Guam.

[16.13.5.8 NMAC – Rp, 16.13.5.8 NMAC, 1/14/2023]

16.13.5.9 RESERVED

[16.13.5.9 NMAC – Rp, 16.13.5.9 NMAC, 01/14/2023]

16.13.5.10 EXPEDITED LICENSURE APPLICATION

A. A candidate for expedited licensure under Section 61-1-31.1 NMSA 1978 must submit to the board a complete application containing all of the following:

- (1) A completed and signed application
- (2) Proof of current unrestricted licensure in good standing held by the applicant in an eligible jurisdiction(s).
- (3) Certificate of good standing for the licensure held by the applicant in an eligible jurisdiction;
- (4) Payment of the required application fee.

B. An expedited license application shall not be deemed complete until the applicant has submitted,

the board is in receipt of all of the materials required in subsection A, including documents from third parties.

C. Upon receipt of complete application the board's staff shall process the application and issue the expedited license to qualified application within 30 days.

D. If the applicant has disqualifying criminal conviction or the board may have other cause to deny the applicant pursuant to Section 61-13-13 NMSA 1978.

(1) The matter of the applicant's application shall be submitted to the board office for consideration and action at its next available regular meeting;

(2) The license may not be issued within 30 days submission of the complete application; and

(3) The board may vote to grant the application or refer the matter to its administrative prosecutor for denial of the application as provided by the board's rules.

[16.13.5.10 NMAC – Rp, 16.13.5.10 NMAC, 01/14/2023]

16.13.5.11 EXPEDITED LICENSURE FOR MILITARY SERVICE AND VETERANS:

A. A candidate for expedited licensure under Section 61-1-34 NMSA 1978 must submit to the board a complete application containing all of the following:

(1) A completed and signed application form;

(2) Proof of current license in good standing in another jurisdiction, including a branch of the United States armed forces; and

(3) Submission of 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 copy of marriage license;

(c) for spouses deceased military service members: copy of decedent's DD214 and copy of marriage license;

(d) for dependent children of military service members: a copy of military service member's orders listing dependent child, or copy of military orders and one of the following: a copy of birth certificate, military service member's federal tax return or other governmental or judicial documentation establishing dependency; or

(e) for veterans (retired or separated), proof of honorable discharge, such as a copy of DD Form 214, DD Form 215, DD Form 256, DD Form 257, NGB Form 22, military ID card, driver's license or state ID card with a veteran's designation, or other documentation verifying honorable discharge.

B. An expedited license application shall not be deemed complete until the applicant has submitted, and the board's staff is in receipt of, all of the materials required by subsection A, including documentation from third parties.

C. Upon receipt of a complete application, the board's staff shall process the application and issue the expedited license to a qualified applicant within 30 days.

D. If the applicant has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-13-13 NMSA 1978;

(1) The matter of the applicant's application shall be submitted to the board for consideration and action at its next available regular meeting;

(2) The license may not be issued within 30 days of submission of the completed application; and

(3) The board may vote to grant the application or refer the matter to its administrative prosecutor for denial of the application as provided by the board's rules.

E. A military service member or veteran who is issued an expedited license shall not be charged any initial licensing fee or renewal fees for the first three years of licensure with the board.

[16.13.5.11 NMAC – Rp, 16.13.5.11 NMAC, 01/14/2023]

16.13.5.12 EXPEDITED LICENSE DURATION AND RENEWAL

A. An expedited license shall be valid for the same length of time as a regular license issued by the board and must be renewed on or before March 31 of each year, as provided by 16.13.8 NMAC.

B. A licensee holding an expedited license may apply for license renewal in the manner provided by the board's rules.

C. Upon renewal, the board shall issue a regular license to a licensee holding an expedited license issued pursuant to these rules.

[16.13.5.12 NMAC – Rp, 16.13.5.12 NMAC, 01/14/2023]

HISTORY of 16.13.5 NMAC:

Pre-NMAC History: Material in the part was derived from that previously filed with the commission of public records - state records center and archives:

NHA Manual #88-1, Administrative Rules and Regulations of the New Mexico Board of Nursing Home Administrators, filed 1/25/1988.

History of Repealed Material:

16.13.5 NMAC, Application for Licensure by Reciprocity, filed 1/25/2001, replaced by 16.13.5 NMAC, Expedited Licensure, effective 1/14/2023.

Other History:

16 NMAC 13.5, Application for Licensure by Reciprocity, filed 10/13/1995 replaced that relevant portion of NHA Manual #88-1, filed 1/25/1988.

16 NMAC 13.5, Application for Licensure by Reciprocity, filed 10/13/1995, renumbered and reformatted to 16.13.5 NMAC, Application for Licensure by Reciprocity, effective 1/25/2001.