

This is an amendment to 16.16.3 NMAC, Sections 3 and 9, effective 2/26/2022.

**16.16.3.3 STATUTORY AUTHORITY:** ~~[Authority]~~ The authority for Part 3 of Chapter 16 is ~~[the Optometry Act NMSA 1978, Section 61-2-4-1]~~ Section 61.2.4 NMSA 1978; ~~[Section 61-2-6-B and D, (2), (6) and (7)]~~ Subsections B and D of 61-2-6 NMSA 1978; Section 61-2-8 NMSA 1978; and Section 61-2-9 NMSA 1978 (1995 Repl. Pam.).  
[11/17/1973; 3/31/1991; 8/21/1992; 6/24/1994; 10/14/1995; 16.16.3.3 NMAC - Rn, 16 NMAC 16.3.3, 3/15/2001; A, 2/26/2022]

**16.16.3.9 APPLICATION REQUIREMENTS:** In accordance with Section 61-2-8 NMSA 1978, and those qualifications set forth therein, candidates for examination must submit to the board office, at least ~~[sixty-five (65)]~~ 65 days prior to the announced examination date, a letter of intent applying for the next regularly scheduled board examination accompanied by the required application processing fee. In addition to a completed, board-approved application form, the following documents must be received by the board office no later than ~~[forty (40)]~~ 40 days prior to the requested examination.

~~[A.]~~ A copy of the applicant's birth certificate certified to be a true and correct copy of the original.]

~~[B.]~~ A. Letters of reference from two currently licensed optometrists actively engaged in the practice of optometry, and not related to the applicant, written on their letterhead stationery.

~~[C.]~~ B. Official pre-optometry transcript(s) sent directly to the board office by each college or university attended by the applicant.

~~[D.]~~ C. A complete official optometry transcript showing the applicant's graduation sent directly to the board by a college of optometry as approved by the American optometric association's council of optometric education.

(1) An applicant expecting to graduate in the spring or summer prior to the board's examination who does not expect completed transcripts to be available before the documentation deadline, must make arrangements for the school to send a letter directly to the board regarding the applicant's expected graduation.

(2) The letter must be postmarked before the forty-day documentation deadline.

(3) The completed, official transcript must be received by the board before the scheduled examination date or the application will be considered incomplete, and the applicant will be denied entrance into the examination.

~~[E.]~~ D. A statement and copy of other state license(s) held by the applicant.

~~[F.]~~ E. A recent, passport-type photograph of the applicant. ~~[The applicant must sign the back of the photograph in the presence of the notary who is also witnessing the applicant's signature on the board approved exam application form.]~~

~~[G.]~~ F. An affidavit from the applicant that the applicant has not engaged in any optometry practice of an illegal or unethical nature as defined in the New Mexico Optometry Act, NMSA 1978, Sections 61-2-1 to 61-21-18 (1995 Repl. Pam.).

~~[H.]~~ G. Copy of current certification attesting to completion of a CPR course offered by the American red cross, the American heart association, or the American safety and health institute (ASHI). The course cannot be self-study.

~~[I.]~~ H. A verification from an accredited optometry school of successful completion of ~~[one hundred (100)]~~ 100 or more post-graduate clock hours of ocular therapeutics pharmacology, as provided in Subsection A of 16.16.7.10 NMAC, and a minimum of ~~[twenty (20)]~~ 20 post-graduate clock hours in clinical pharmacology as provided in Subsection B of 16.16.7.11 NMAC.

~~[J.]~~ I. Verification directly from the national board of examiners in optometry (NBEO) that the applicant has successfully passed part I, part II, part III, and the TMOD of the NBEO as provided in Subsection B of 16.16.3.8 NMAC.

(1) If NBEO examination results will not be released by the NBEO prior to the documentation deadline, the applicant must submit to the board a copy of the NBEO letter scheduling the applicant for the NBEO exam(s).

(2) Upon receipt of verification of successful completion of the required NBEO exam(s), and upon having met all other requirements stipulated in this regulation, the approved candidate will be scheduled for the next regularly scheduled board examination.

**[K] J.** A list of the names of any New Mexico licensed optometrist(s) with whom the applicant is acquainted; with whom the applicant has a professional or personal affiliation; or that the applicant would feel uncomfortable being examined by, in the event that one of those optometrists is a board member or a clinical examiner for the board. Failure to provide this information prior to the examination deadline may disqualify the candidate from the exam.

**[L] K.** Each approved exam candidate will be required to bring their copy of the board's exam policy and procedures document to the clinical exam and to sign it in the presence of the board's representative in attestation that the candidate has read the document; and a copy of the document will become a part of the candidate's examination records.

**L.** proof of any disqualifying criminal convictions as defined in Paragraph 12 of 16.16.21 NMAC.  
[11/17/1973; 3/8/1986; 3/31/1991; 8/21/1992; 6/24/1994; 9/30/1995; 10/14/1995; 5/31/1996; 2/15/1999; 16.16.3.9 NMAC - Rn, 16 NMAC 16.3.9, 3/15/2001; A, 3/15/2004; A, 3/22/2008; A, 7/6/2012; A, 6/25/2015, A, 2/26/2022]