

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 2 ACUPUNCTURE AND ORIENTAL MEDICINE PRACTITIONERS
PART 21 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES AND VETERANS

16.2.21.1 ISSUING AGENCY: New Mexico Board of Acupuncture and Oriental Medicine.
[16.2.21.1 NMAC - Rp, 16.2.21.1 NMAC, 2/11/2022]

16.2.21.2 SCOPE: This part sets forth application procedures to expedite licensure for military service members, spouses, and veterans.
[16.2.21.2 NMAC - Rp, 16.2.21.2 NMAC, 2/11/2022]

16.2.21.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to and in accordance with the Acupuncture and Oriental Medicine Practice Act, Sections 61-14A-1 to -22 NMSA 1978, (specific authority to promulgate rules is Subsection B of 61-14A-8 NMSA 1978, and Section 61-1- (HB 180) NMSA 1978.
[16.2.21.3 NMAC - Rp, 16.2.21.3 NMAC, 2/11/2022]

16.2.21.4 DURATION: Permanent.
[16.2.21.4 NMAC - Rp, 16.2.21.4 NMAC, 2/11/2022]

16.2.21.5 EFFECTIVE DATE: February 11, 2022 unless a later date is cited at the end of a section.
[16.2.21.5 NMAC - Rp, 16.2.21.5 NMAC, 2/11/2022]

16.2.21.6 OBJECTIVE: The purpose of this part is to expedite licensure for military service members, their spouses and veterans pursuant to Section 61-1-34 NMSA 1978.
[16.2.21.6 NMAC - Rp, 16.2.21.6 NMAC, 2/11/2022]

16.2.21.7 DEFINITIONS:

- A. "License"** is a doctor of oriental medicine pursuant to the Act.
- B. "Licensee"** has the same meaning as defined in Paragraph (1) of Subsection F of Section 61-1-34 NMSA 1978.
- C. "Licensing fee"** has the same meaning as defined in Paragraph (2) of Subsection F of Section 61-1-34 NMSA 1978.
- D. "Military service member"** has the same meaning as defined in Paragraph (3) of Subsection F of Section 61-1-34 NMSA 1978.
- E. "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.
- F. "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 Acupuncture and Oriental Medicine Practice Act, Sections 61-14A-1 NMSA 1978, et.seq.
- G. "Veteran"** has the same meaning as defined in Paragraph (4) of Subsection F of Section 61-1-34 NMSA 1978.
[16.2.21.7 NMAC - Rp, 16.2.21.7 NMAC, 2/11/2022]

16.2.21.8 APPLICATION REQUIREMENTS:

- A.** Applications for licensure 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 16.2.10.9 NMAC;
 - (2)** satisfactory evidence that the applicant is currently licensed in another jurisdiction, including a branch of the United States armed forces, and holds a current license in good standing; the applicant further must provide satisfactory evidence that he has met the minimal licensing requirements in that jurisdiction

and that they are substantially equivalent to the licensing requirements for New Mexico licensees in acupuncture and oriental medicine; and

(3) proof of honorable discharge (DD214) or military ID card or accepted proof of military spouse status.

(4) proof as described in Subsection C below.

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 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 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 government 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/commission as soon as practicable but no later than 30 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 Acupuncture and Oriental Medicine Practice Act, Sections 61-14A-1 NMSA 1978, et. seq. [16.2.21.8 NMAC - Rp, 16.2.21.8 NMAC, 2/11/2022]

16.2.21.9 RENEWAL REQUIREMENTS:

A. A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for the issuance specified in 16.2.3 NMAC, application for licensure or 16.2.17 NMAC licensure by endorsement and for the renewal of a license specified in 16.2.8 NMAC pursuant to 61-14A-15 NMSA 1978.

B. A license issued pursuant to this section shall be valid for one year or until July 31 unless renewed.

C. The board office mails license renewal notifications to licensees before the license expiration date. Failure to receive the renewal notification shall not relieve the licensee of the responsibility of renewing the license by the expiration date.

D. The renewal application will be available online at the board's website and in paper copy if requested from the board office and must be received at the board office on or before July 31, except that licenses initially issued after May 1 shall not expire until July 31 of the next renewal period.

E. To renew a license, the licensee must submit the following documentation on or before July 31: a completed license renewal application, verification of continuing education, and the applicable renewal fee at the time of renewal.

F. 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. 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.

[16.2.21.9 NMAC - Rp, 16.2.21.9 NMAC, 2/11/2022]

History of 16.2.21 NMAC:

16.2.21.9 NMAC, Acupuncture And Oriental Medicine Practitioners - Licensure For Military Service Members, Spouses And Veterans filed 1/31/2014 Repealed effective 2/11/2022.

Other History:

16.2.21.9 NMAC, Acupuncture And Oriental Medicine Practitioners - Licensure For Military Service Members, Spouses And Veterans filed 1/31/2014 was Replaced by 16.2.21.9 NMAC, Acupuncture And Oriental Medicine Practitioners - Licensure For Military Service Members, Spouses And Veterans effective 2/11/2022.