

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 23 RESPIRATORY CARE PRACTITIONERS
PART 5 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES, DEPENDENT CHILDREN, AND VETERANS

16.23.5.1 ISSUING AGENCY: New Mexico Regulation and Licensing Department in consultation with the Advisory Board of Respiratory Care Practitioners.
[16.23.5.1 NMAC - Rp, 16.23.5.1 NMAC, 04/21/2022]

16.23.5.2 SCOPE: This part sets forth application procedures to expedite licensure for military service members, spouses and veterans.
[16.23.5.2 NMAC - Rp, 16.23.5.2 NMAC, 04/21/2022]

16.23.5.3 STATUTORY AUTHORITY: Part 4 of Chapter 23 is promulgated pursuant to the Respiratory Care Act, Section 61-12B-6 NMSA 1978.
[16.23.5.3 NMAC - Rp, 16.23.5.3 NMAC, 04/21/2022]

16.23.5.4 DURATION: Permanent.
[16.23.5.4 NMAC - Rp, 16.23.5.4 NMAC, 04/21/2022]

16.23.5.5 EFFECTIVE DATE: April 21, 2022, unless a later date is cited at the end of a section.
[16.23.5.5 NMAC - Rp, 16.23.5.5 NMAC, 04/21/2022]

16.23.5.6 OBJECTIVE: The objective of this part is to expedite licensure for military service members, their spouses and dependent children, and for veterans pursuant to Section 61-1-34, NMSA 1978.
[16.23.5.6 NMAC - Rp, 16.23.5.6 NMAC, 04/21/2022]

16.23.5.7 DEFINITIONS: All definitions related to this section are in 16.23.1.7 NMAC.
[16.23.5.7 NMAC - Rp, 16.23.5.7 NMAC, 04/21/2022]

16.23.5.8 APPLICATION REQUIREMENTS: The applicant shall submit:

A. A completed application on a form approved by the board and provided by the department which includes applicant's:

- (1) full name;
- (2) current mailing address;
- (3) current electronic mail address;
- (4) date of birth;
- (5) proof as described in subsection B., below.

B. 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 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.

C. The license or registration shall be issued by the department 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 for a license, and any other required fees.

D. 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.

E. A license issued pursuant to this section shall be valid for the time period that is specified in the Respiratory Care Act and in 16.23.3 NMAC.

[16.23.5.8 NMAC - Rp, 16.23.5.8 NMAC, 04/21/2022]

16.23.5.9 RENEWAL REQUIREMENTS:

A. A license issued pursuant to this section shall not be renewed unless the licensee satisfies the requirements for renewal set forth in 16.23.3.9 NMAC pursuant to Section 61-12B NMSA 1978.

B. Original and renewal registrations shall be valid until September 30 of every odd-numbered year as set forth in 16.23.3.15 NMAC.

C. Prior to the expiration of the license; licensee shall apply for registration renewal and pay the renewal fee as set forth in 16.23.3 NMAC.

D. As a courtesy, the department will send via electronic mail license renewal notifications to licensees before the license expiration date, to the last known electronic mail address on file with the department. Failure to receive the renewal notification shall not relieve the licensee of the responsibility of timely renewal on or before the expiration date of the license.

[16.23.5.9 NMAC - RP, 16.23.5.9 NMAC, 04/21/2022]

HISTORY OF 16.23.5 NMAC: [RESERVED]

HISTORY OF REPEALED MATERIAL:

16.23.5 NMAC, "Licensure For Military Service Members, Spouses, Dependent Children, And Veterans", filed 6/15/2017 - Repealed effective 04/21/2022].

Other History: 16.23.5 NMAC, "Licensure For Military Service Members, Spouses, Dependent Children, And Veterans", filed 6/15/2017 was replaced by 16.23.5 NMAC, "Licensure For Military Service Members, Spouses, Dependent Children, And Veterans", effective 04/21/2022.