

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 4 CHIROPRACTIC PRACTITIONERS
PART 4 EXPEDITED LICENSURE, LICENSE WITHOUT EXAMINATION

16.4.4.1 ISSUING AGENCY: New Mexico Chiropractic Board.
[16.4.4.1 NMAC - Rp, 16.4.4.1 NMAC, 12/27/2022]

16.4.4.2 SCOPE: The provisions in Part 4 of Chapter 4 apply to applicants for expedited licensure, also referred to as license without examination.
[16.4.4.1 NMAC - Rp, 16.4.4.1 NMAC, 12/27/2022]

16.4.4.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to and in accordance with the Chiropractic Physician Practice Act, Section 61-4-8 NMSA 1978 and the Uniform Licensing Act, Section 61-1-31.1 NMSA 1978.
[16.4.4.3 NMAC - Rp, 16.4.4.3 NMAC, 12/27/2022]

16.4.4.4 DURATION: Permanent.
[16.4.4.4 NMAC - Rp, 16.4.4.4 NMAC, 12/27/2022]

16.4.4.5 EFFECTIVE DATE: December 27, 2022, unless a later date is cited at the end of a section.
[16.4.4.5 NMAC - Rp, 16.4.4.5 NMAC, 12/27/2022]

16.4.4.6 OBJECTIVES: To promote, preserve and protect the public health, safety and welfare by regulating and setting professional standards for applicants for expedited licensure.
[16.4.4.6 NMAC - Rp, 16.4.4.6 NMAC, 12/27/2022]

16.4.4.7 DEFINITIONS:

- A. “Eligible jurisdiction”** means:
- (1) any state or territory of the United States except those included in the list of disapproved licensing jurisdictions in 16.4.4.8 NMAC; and
 - (2) any foreign country included in 16.4.4.8 NMAC.
- B. “Expedited license”** means a provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the board pursuant to Section 61-4-8 NMSA 1978, and also referred to in the act as a license without examination.
- C. “Good standing”** means a license or registration 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. “Veteran”** has the same meaning as defined in Paragraph (3) of Subsection E of Section 61-1-34 NMSA 1978.
[16.4.4.7 NMAC - Rp, 16.4.4.7 NMAC, 12/27/2022]

16.4.4.8 LIST OF DISAPPROVED LICENSING JURISDICTIONS; REASONS: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure under Section 61-4-8 NMSA 1978 of the Chiropractic Physician Practice Act:

- A.** American Samoa and the Northern Mariana Islands, on the grounds that education and licensure examination requirements cannot be determined to be consistent with those requirements in New Mexico.
- B.** New York, on the grounds that New York’s licensure examination requirements are not consistent with the licensing requirements in New Mexico.

[16.4.4.8 NMAC - Rp, 16.4.4.8 NMAC, 12/27/2022]

16.4.4.9 EXPEDITED LICENSURE APPLICATION:

- A.** The board shall issue an expedited license to a chiropractic physician who:
- (1) is a graduate of a standard college of chiropractic;
 - (2) holds a valid and unrestricted license, in good standing, in an eligible jurisdiction;
 - (3) has been a licensed chiropractor for at least two years immediately prior to application in New Mexico.
- B.** In accordance with Section 61-1-31.1 NMSA 1978, a candidate for expedited licensure must submit to the board a complete application containing the following:
- (1) a completed and signed application form;
 - (2) proof of a current license in good standing from an eligible jurisdiction as defined in these rules;
 - (3) payment of the required application and license fee pursuant to 16.4.22 NMAC.
- C.** An expedited license application shall not be deemed complete until the applicant has submitted, and board staff is in receipt of, all of the materials required by subsection B, including documentation from third parties.
- D.** Upon receipt of a complete application, board staff shall process the application and issue the expedited license to a qualified applicant within 30 days.
- E.** If the applicant has a potentially disqualifying criminal conviction, or the board may have other cause to deny the application pursuant to Section 61-4-10 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 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.

[16.4.4.9 NMAC - N, 12/27/2022]

16.4.4.10 EXPEDITED LICENSURE APPLICATION FOR MILITARY SERVICE MEMBERS AND VETERANS:

- A.** A candidate for expedited licensure under Section 61-1-34 NMSA 1978 must submit to the board a complete application containing the following:
- (1) a completed and signed application form;
 - (2) proof of a current license in good standing from 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: copies of military service member's military orders, and marriage license;
 - (c) for spouses of deceased military service members: copies of decedent's DD 214 and marriage license;
 - (d) for dependent children of military service members: copies of military service member's orders listing dependent child or a 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, a 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 board 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, board staff shall process the application and issue the expedited license to a qualified applicant within 30 days.
- D.** If the applicant has a potentially disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-4-10 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 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.

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

[16.4.4.10 NMAC - N, 12/27/2022]

16.4.4.11 EXPEDITED LICENSE DURATION AND RENEWAL:

A. An expedited license, including an expedited licensure issued to a military member under 16.4.4.10 NMAC, shall be valid for the same length of time as a regular license issued by the board and must be renewed on or before July 1 of each year, as provided by 16.4.9.8 NMAC.

B. A licensee holding an expedited license may apply for license renewal in the manner provided by the board's rules. However, if the licensee has not passed the following examinations in another jurisdiction that are required for licensure in New Mexico pursuant to 16.4.6.8 NMAC, the licensee must pass the exam prior to applying for renewal:

(1) the board's jurisprudence exam;

(2) the national board exams I, II, III, and IV; and

(3) the physiotherapy exam conducted by the national board of chiropractic examiners.

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

[16.4.4.11 NMAC - N, 12/27/2022]

HISTORY OF 16.4.4 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

Rule 17-95, Licensure By Endorsement, filed 2/20/1995.

History of Repealed Material: 16.4.4 NMAC, Licensure Without Examination filed 12/15/2004, Repealed effective 8/10/2019.

16.4.4 NMAC, Licensure Without Examination filed 7/10/2019, Repealed effective 12/27/2022.

Other History:

Rule 17-95, Licensure By Endorsement (filed 2/20/1995) was renumbered, reformatted and replaced by 16 NMAC 4.4, Licensure By Endorsement, effective 11/16/1997.

16 NMAC 4.4, Licensure By Endorsement (filed 10/17/1997) was renumbered, reformatted, amended and replaced by 16.4.4 NMAC, Licensure By Endorsement, effective 1/15/2005.

16.4.4 NMAC, Licensure Without Examination filed 12/15/2004 was replaced by 16.4.4 NMAC, Licensure Without Examination, effective 8/10/2019.

16.4.4 NMAC, Licensure Without Examination filed 7/10/2019 was replaced by 16.4.4 NMAC, Licensure Without Examination, effective 12/27/2022.