

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 21 PODIATRISTS**  
**PART 4 EXPEDITED LICENSE BY RECIPROCITY**

**16.21.4.1 ISSUING AGENCY:** Regulation and Licensing Department, Board of Podiatry.  
[16.21.4.1 NMAC - Rp, 16.21.4.1 NMAC 1/18/2023]

**16.21.4.2 SCOPE:** The provisions in Part 4 of Chapter 21 apply to all applicants for expedited licensure by reciprocity.  
[16.21.4.2 NMAC - Rp, 16.21.4.2 NMAC 1/18/2023]

**16.21.4.3 STATUTORY AUTHORITY:** These rules are promulgated pursuant to the Podiatry Act, Sections 61-8-1 to 61-8-17 NMSA 1978.  
[16.21.4.3 NMAC - Rp, 16.21.4.3 NMAC 1/18/2023]

**16.21.4.4 DURATION:** Permanent.  
[16.21.4.4 NMAC - Rp, 16.21.4.4 NMAC 1/18/2023]

**16.21.4.5 EFFECTIVE DATE:** January 18, 2023, unless a later date is cited at the end of a section.  
[16.21.4.5 NMAC - Rp, 16.21.4.5 NMAC 1/18/2023]

**16.21.4.6 OBJECTIVE:** The objective of Part 4 is to promote, preserve and protect the public health, safety and welfare by regulating and setting professional standards for applicants for expedited licensure by reciprocity.  
[16.21.4.6 NMAC - Rp, 16.21.4.6 NMAC 1/18/2023]

**16.21.4.7 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 of 16.21.4.8 NMAC; and
  - (2) any foreign country included in 16.21.4.9 NMAC.
- B. “Expedited license by reciprocity”** 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 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. “Qualified applicant”** means an applicant who:
- (1) holds a current license in good standing in another jurisdiction, provided that an applicant who is not a military service member or veteran must hold a current license in good standing in an eligible jurisdiction;
  - (2) does not have a disqualifying criminal conviction, as defined in 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 61-1-34 NMSA 1978.  
[16.21.4.7 NMAC - Rp, 16.21.4.7 NMAC 1/18/2023]

**16.21.4.8 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 by reciprocity under Section 61-8-9 NMSA 1978 of the Podiatry Act:

- A. American Samoa, on the grounds that the board cannot determine the education or examination requirements in this jurisdiction;
- B. Guam, on the grounds that this jurisdiction does not require licensees to pass any examination;
- C. Kentucky and Pennsylvania, on the grounds that these jurisdictions do not require licensees to complete a residency program;
- D. Minnesota, New Jersey, and Puerto Rico, on the grounds that these jurisdictions do not require licensees to pass Part III of the NBPME AMPLE exam considered by New Mexico to be an integral portion of the national examinations to determine competency to practice podiatry;
- E. Montana, North Carolina and North Dakota, on the grounds that the boards cannot determine sufficiency of residency requirements in these jurisdictions; and
- F. Virgin Islands, on the grounds that the board cannot determine the examination requirements in this jurisdiction.

[16.21.4.8 NMAC - Rp, 16.21.4.8 NMAC, 1/18/2023]

**16.21.4.9 LIST OF APPROVED FOREIGN JURISDICTIONS.** Applicants licensed in the following foreign countries outside of the United States may be eligible for expedited licensure under Section 61-8-9 NMSA 1978 of the Podiatry Act:

- A. Spain; and
- B. Canada.

[16.21.4.9 NMAC - Rp, 16.21.4.9 NMAC, 1/18/2023]

**16.21.4.10 EXPEDITED LICENSURE APPLICATION:**

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

- (1) a completed and signed application form;
- (2) proof of current licensure in an eligible jurisdiction as defined in these rules;
- (3) certificate of good standing for the license held by the applicant in an eligible jurisdiction;
- (4) official transcripts from the school of podiatric medicine or college, to be sent directly to the board office from the accredited program;
- (5) certificate or letter from residence director verifying completion of residence program approved by the CPME;
- (6) proof of active practice for the five consecutive years immediately preceding the date of application (such proof may include a letter from an accountant, the professional society, tax forms, or other documentation approved by the board);
- (7) payment of the required application fee.

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 16.21.4.10 NMAC, 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 61-8-11 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.

[16.21.4.10 NMAC - Rp, 16.21.4.10 NMAC, 1/18/2023]

**16.21.4.11 EXPEDITED LICENSURE APPLICATION FOR MILITARY SERVICE MEMBERS AND VETERANS:**

**A.** A candidate for expedited licensure by reciprocity 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 another jurisdiction;
- (3) certificate of good standing for the license held by the applicant in another jurisdiction, including a branch of the United States armed forces;
- (4) 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 of deceased military service members: copy of decedent's DD 214 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 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;
  - (e) for veterans (retired or separated): proof of honorable discharge such as a copy of DD 214, DD 215, DD 256, DD 257, NGB Form 22, Military ID card, a driver's license or state ID card with a veterans designation, or other documentation as provided by a governmental entity verifying an 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 16.21.4.20 NMAC, 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 61-8-11 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 a licensing fee for the first three years of licensure with the board.  
[16.21.4.11 NMAC - Rp, 16.21.4.11 NMAC, 1/18/2023]

#### **16.21.4.12 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 January 1 of each year, as provided by 16.21.7.8 and 16.21.7.9 NMAC.

**B.** A licensee holding an expedited license may apply for license renewal in the manner provided by the board's rules, provided that, upon renewal, if the licensee holding an expedited license was not required by the licensee's original jurisdiction outside of New Mexico to pass the NBPME examinations part 1, 2, and 3, the licensee shall be required to do so as a prerequisite to license renewal.

**C.** Upon renewal, the board shall issue a regular license to a licensee holding an expedited license issued pursuant to these rules.  
[16.21.4.12 NMAC - N, 1/18/2023]

#### **HISTORY of 16.21.4 NMAC:**

##### **Pre-NMAC History:**

The material in this part was derived from that previously filed with the commission of public records - state records center and archives:

Rule III, Licensure by Reciprocity, filed 7/21/1980;

Rule III, Licensure by Reciprocity, filed 8/18/1989.

##### **History of the Repealed Material:**

16 NMAC 21.4, Podiatry - Application for License by Reciprocity, repealed 10/15/2004.  
16.21.4 NMAC, Podiatrists - License by Reciprocity filed 9/15/2004, Repealed effective 5/3/2019.  
16.21.4 NMAC, Podiatrists - License by Reciprocity filed 4/3/2019, Repealed effective 1/18/2023.

**Other History:**

Rule III, Licensure by Reciprocity (filed 8/18/1989) was renumbered, reformatted and replaced by 16 NMAC 21.4, Podiatry - Application for License by Reciprocity, effective 7/1/1996.  
16 NMAC 21.4, Podiatry - Application for License by Reciprocity (filed 6/17/1996) was replaced by 16.21.4 NMAC, License by Reciprocity, effective 10/15/2004.  
16.21.4 NMAC, Podiatrists - License by Reciprocity filed 9/15/2004 was replaced by 16.21.4 NMAC, Podiatrists License by Reciprocity effective 5/3/2019.  
16.21.4 NMAC, Podiatrists - License by Reciprocity filed 4/3/2019, Replaced by 16.21.4 NMAC, Podiatrists - Expedited License by Reciprocity effective 1/18/2023.