

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 5 DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)
PART 8 DENTISTS, LICENSURE BY CREDENTIALS

16.5.8.1 ISSUING AGENCY: New Mexico Board of Dental Health Care.
[16.5.8.1 NMAC - Rp, 16.5.6.1 NMAC, 5/31/2023]

16.5.8.2 SCOPE: The provisions of 16.5.8 NMAC apply to all applicants for licensure as a general or specialty dentist by credentials.
[16.5.8.2 NMAC - Rp, 16.5.8.2 NMAC, 5/31/2023]

16.5.8.3 STATUTORY AUTHORITY: 16.5.8 NMAC is promulgated pursuant to the Dental Health Care Act, Section 61-5A-12 NMSA 1978.
[16.5.8.3 NMAC - Rp, 16.5.8.3 NMAC, 5/31/2023]

16.5.8.4 DURATION: Permanent.
[16.5.8.4 NMAC- Rp, 16.5.8.4 NMAC, 5/31/2023]

16.5.8.5 EFFECTIVE DATE: May 31, 2023, unless a later date is cited at the end of a section.
[16.5.8.5 NMAC - Rp, 16.5.8.5 NMAC, 5/31/2023]

16.5.8.6 OBJECTIVE: To establish the requirements for application for licensure as a dentist by credentials held through licensure in another state(s).
[16.5.8.6 NMAC - Rp, 16.5.8.6 NMAC, 5/31/2023]

16.5.8.7 DEFINITIONS: License in “good standing” is defined as having an active dental license in a jurisdiction for a period of at least three consecutive years immediately preceding the date of application, and a minimum of five years of dental licensure. The board shall consider stipulations, disciplinary or administrative actions taken against a licensee by the issuing agency, within the previous five years, when determining whether a license is in “good standing”.
[16.5.8.7 NMAC – Rp, 16.5.8.7 NMAC, 5/31/2023]

16.5.8.8 PREREQUISITE REQUIREMENTS FOR LICENSURE IN GENERAL PRACTICE: Each applicant for licensure as a general dentist by credentials must possess the following qualifications:

- A.** graduated and received a diploma from an accredited dental school as defined in Subsection A of Section 61-5A-12 NMSA 1978;
 - B.** completed 60 hours of approved continuing education during the past 36 months in compliance with 16.5.1.15 NMAC of these rules;
 - C.** passed the dental national board examination as defined in Subsection A of Section 61-5A-12 NMSA 1978;
 - D.** passed the jurisprudence exam with a score of at least seventy-five percent;
 - E.** holds a current active license in good standing by clinical examination in another state or territory of the United States, or has maintained a uniform service practice in the United States military or public health service for three years immediately preceding the application;
 - F.** passed a clinical examination approved by the board;
 - G.** the board may deny, stipulate, or otherwise limit a license if it is determined the applicant holds or has held a license in another jurisdiction that is not in good standing, if proceedings are pending against the applicant in another jurisdiction, or information is received indicating the applicant is of danger to patients or is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentists and Hygienists Act, or these rules;
 - H.** the board requires a background status report from a board designated professional background service; application for this service will be included with other application materials; the applicant will apply and pay fees directly to a board designated professional background service to initiate this service.
- [16.5.8.8 NMAC - Rp, 16.5.8.8 NMAC, 5/31/2023]

16.5.8.9 PREREQUISITE REQUIREMENTS FOR LICENSE IN SPECIALTY PRACTICE: Any dentist who has taken a clinical examination accepted by the board and who has completed and passed a CODA accredited specialty program in one of the ADA recognized specialties may be issued a specialty license by the board. Each applicant for a license to practice a dental specialty by credentials must possess the following qualifications. Individuals licensed to practice a dental specialty shall be limited to practice only in that specialty area.

A. Graduated and received a diploma from an accredited dental school as defined in Subsection A of Section 61-5A-12 NMSA 1978.

B. Have a postgraduate degree or certificate from an accredited dental school or approved residency program as defined in Subsection E of Section 61-5A-12 NMSA 1978, in one of the specialty areas of dentistry recognized by the ADA.

C. Completed 60 hours of continuing education during the past 36 months in compliance with 16.5.1.15 NMAC of these rules.

D. Successfully completed the dental national board examination as defined in Subsection A of Section 61-5A-12 NMSA 1978.

E. An applicant in any specialty defined in Subsection E of 16.5.8.9 NMAC for which there is no specialty examination may substitute diplomat status for the examination.

F. Successfully completed an examination for diplomat status or a specialty licensure examination comparable to the specialty exam recognized by the New Mexico board of dental health care:

(1) the examination must include the entry level clinical skills in one of the following specialties: endodontics, oral and maxillofacial surgery, orthodontics/dento-facial orthopedics, oral pathology, pediatric dentistry, periodontology, prosthodontics; or oral and maxillofacial radiology, other specialties approved by the American dental association; or

(2) for licensure as a specialist in dental public health, the applicant must have successfully completed the examination for diplomat status given by the American board of public health dentistry.

G. Completed the jurisprudence exam with a score of at least seventy-five percent.

H. Hold a current active license in good standing by examination in another state or territory of the United States.

I. The board may deny, stipulate, or otherwise limit a license if it is determined the applicant holds or has held a license in another jurisdiction that is not in good standing, if proceedings are pending against the applicant in another jurisdiction, or information is received indicating the applicant is of danger to patients or is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentists and Hygienists Act, or these rules.

J. The board requires a level II background status report from a board designated professional background service. Application for this service will be included with other application materials. The applicant will apply and pay fees directly to a board designated professional background service to initiate this service. [16.5.8.9 NMAC - Rp, 16.5.8.9 NMAC, 5/31/2023]

16.5.8.10 DOCUMENTATION REQUIREMENTS: Each applicant for licensure by credentials must submit the required fees and following documentation:

A. completed application; applications are valid for one year from the date of receipt;

B. official transcripts or an original letter on letterhead with an embossed seal verifying successfully passing all required courses from the dental school or college, to be sent directly to the board office from the accredited program;

C. copy of national board examination certificate or scorecard;

D. copy of clinical examination score card or certificate from the accepted examining agent;

E. proof of having taken a course in infection control technique within the past twelve months;

F. proof of current life support (BLS) or cardiac pulmonary resuscitation (CPR) certification accepted by the American heart association, the American red cross, or the American safety and health institute (ASHI); cannot be a self-study course;

G. the board will obtain verification of applicant status from the national practitioner's data bank and the American association of dental examiners clearinghouse;

H. verification of licensure in all states where the applicant holds or has held a license to practice dentistry, or other health care profession; verification must be sent directly to the office from the other state(s) board, must include a seal, and must attest to the status, issue date, license number, and other information contained on the form;

I. a status report from a board designated professional background service must be received by the board office directly from a board designated professional background service; the results of the background check must either indicate no negative findings, or if there are negative findings, those findings will be considered by the board;

J. the board may deny, stipulate or otherwise limit a license if it is determined the applicant is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentist and Hygienist Act, these rules, or if it is determined that the applicant poses a threat to the welfare of the public;

K. proof of 60 hours of continuing education during the 36 months prior to licensure in compliance with 16.5.1.15 NMAC of these rules;

L. dentists employed in uniform service practice shall furnish:

(1) a copy of the most recent commissioned officers effectiveness report, or equivalent, issued by the uniformed service dental service, and

(2) a certified letter from the clinic commander attesting to past record and any actions taken on applicant's uniform service credentials;

M. applicants for specialty by credentials in one of the following applicants for specialty license must submit: official transcripts from the residency program or postgraduate training program, sent directly to the board office from the accredited program;

N. certificate of diplomat status from the specialty board, must be sent directly to the board office; and

O. successfully completed an examination for diplomat status or a specialty licensure examination comparable to the specialty exam recognized by the New Mexico board of dental health care:

(1) the examination must include the entry level clinical skills in one of the following specialties: endodontics, oral and maxillofacial surgery, orthodontics/dento-facial orthopedics, oral pathology, pediatric dentistry, periodontology, prosthodontics; or oral and maxillofacial radiology; or

(2) for licensure as a specialist in dental public health, the applicant must have successfully completed the examination for diplomat status given by the American board of public health dentistry;

P. supplemental information may be requested by the board.

[16.5.8.10 NMAC - Rp, 16.5.8.10 NMAC, 5/31/2023]

16.5.8.11 RE-EXAMINATION PROCEDURE: An applicant who does not obtain a passing score on the jurisprudence exam must submit the re-examination fee as defined in Subsection D of 16.5.5.8 NMAC to re-take the exam.

[16.5.8.11 NMAC - Rp, 16.5.8.11 NMAC, 5/31/2023]

16.5.8.12 LICENSURE PROCEDURE: Upon receipt of a completed application, including all documentation and fees, the secretary-treasurer or delegate of the board will review and may approve the application when the applicant holds a valid license obtained through clinical exam. The board shall formally accept the approval of the application at the next scheduled meeting. All applications for licensure by credentials based on uniform service practice will be taken to the board for review and final determination of eligibility for licensure at the next scheduled meeting.

A. Initial dental licenses are issued for a period not to exceed three years as defined in 16.5.11.8 NMAC.

B. Any application that cannot be approved by the delegate of the board will be reviewed by the entire board at the next scheduled meeting.

[16.5.8.12 NMAC - Rp, 16.5.8.12 NMAC, 5/31/2023]

HISTORY OF 16.5.8 NMAC:

Pre-NMAC History:

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

BDE 69-1, Rules and Regulations of the New Mexico Board of Dental Examiners, filed 8/14/1969;

BDE 70-1, Rules and Regulations of the New Mexico Board of Dental Examiners, filed 9/21/1970;

BDE 73-1, Rules and Regulations of the New Mexico Board of The New Mexico Board of Dentistry, filed 2/12/1973;

BODHC Rule DS 11-95, Dentists, Licensure by Credentials, filed 7/31/1995.

History of Repealed Material:

Article XIV, Repeals BDE 73-1, Rules and Regulations of the New Mexico Board of Dentistry, filed 2/12/1973.
16.5.8 NMAC, Dentists, Licensure by Credentials, filed 12/1/2000 Repealed effective 5/31/2023.

Other History:

16 NMAC 5.8, Dentists, Licensure by Credentials, filed 7/31/1995;
16 NMAC 5.8, Dentists, Licensure by Credentials, filed 9/17/1996- renumbered, reformatted and amended to 16.5.8 NMAC, Dentists, Licensure by Credentials, effective 12/14/2000.
16.5.8 NMAC, Dentists, Licensure by Credentials, filed 12/1/2000 Replaced by 16.5.8 NMAC, Dentists, Licensure by Credentials, effective 5/31/2023.