

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 19 PHARMACISTS
PART 12 FEES

16.19.12.1 ISSUING AGENCY: Board of Pharmacy
[2/15/1889...2/15/1996; 16.19.12.1 NMAC - Rn, 16 NMAC 19.12.1, 3/30/2002; A, 12/15/2002; A, 1/31/2007; A, 8/2/2019, A, 12/15/2020]

16.19.12.2 SCOPE: All applicants for licensure, registration or certification by the Board of Pharmacy.
[2/15/1996; 16.19.12.2 NMAC - Rn, 16 NMAC 19.12.2, 3/30/2002; A, 8/2/2019]

16.19.12.3 STATUTORY AUTHORITY: Section 30-31-11 NMSA 1978 authorizes the board of pharmacy ("board") to charge reasonable fees relating to the registration and control of the manufacture, distribution and dispensing of controlled substances. Section 30-31B-6 NMSA 1978 authorizes the board to charge reasonable fees for the registration and control of the manufacture, possession, transfer and transportation of drug precursors. Sections 61-11-12, 61-11-13, and 61-11-14 NMSA 1978 authorize the board to charge, and limit the maximum charges for:

A. applications for registration and renewal of registration as a pharmacist, pharmacist intern, or pharmacy technician; and

B. applications for the registration of retail pharmacies, wholesale drug distributors, nonresident pharmacies, drug manufacturers, hospital pharmacies, drug rooms, nursing homes, industrial or public health clinics, the department of health clinics and health facilities, home care services, wholesalers, retailers and distributors of legend-bearing veterinary drugs, medicinal gas repackagers, medicinal gas sellers, outsourcing facilities, repackagers, and third party logistics providers. Section 61-1-34 NMSA 1978 authorizes the board to waive license fees for the first three years for military service members, spouses, dependents, and veterans where the license is issued by reciprocity.

[2/15/1996; 16.19.12.3 NMAC - Rn, 16 NMAC 19.12.3, 3/30/2002; A, 8/2/2019; A, 11/30/2021, A, 2/28/2023]

16.19.12.4 DURATION: Permanent.
[2/15/1996; 16.19.12.4 NMAC - Rn, 16 NMAC 19.12.4, 3/30/2002]

16.19.12.5 EFFECTIVE DATE: February 15, 1996, unless a different date is cited at the end of a section. This Part reformatted for inclusion into the New Mexico Administrative Code (NMAC) effective 2/15/1996.
[2/15/1996; A, 7/31/1998; 16.19.12.5 NMAC - Rn, 16 NMAC 19.12.5, 3/30/2002]

16.19.12.6 OBJECTIVE: The objective of Part 12 of Chapter 19 is to ensure uniform imposition and collection of fees that conform to statutory requirements for individuals and entities that provide pharmaceutical products and services.
[2/15/1996; 16.19.12.6 NMAC - Rn, 16 NMAC 19.12.6, 3/30/2002]

16.19.12.7 DEFINITIONS: [RESERVED]
[2/15/1996; 16.19.12.7 NMAC - Rn, 16 NMAC 19.12.7, 3/30/2002]

16.19.12.8 FEES: All fees shall be paid in advance of the issuance of any license, permit, certificate or replacement of a certificate and shall not be refundable.
[3/7/1980...8/27/1990; 16.19.12.8 NMAC - Rn, 16 NMAC 19.12.8, 3/30/2002; A, 10/24/2014]

16.19.12.9 REGISTRATION FEES:

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|-----------|---|----------|
| A. | Registration by examination | \$200.00 |
| B. | Registration by reciprocity | \$200.00 |
| C. | Registration as an intern | \$25.00 |
| D. | Registration as a pharmacy technician | \$25.00 |
| E. | Waiver of registration fees: The board of pharmacy waives the registration fee set forth in | |

regulation 16.19.12.9 for change of duty location to New Mexico for individuals who are currently serving in the United States military, and for those service member spouses.

F. Registration fees are waived for United States military service members, spouses (includes surviving spouse of a member who at the time of member's death was serving on active duty), dependent children, and veterans who are applying for pharmacist licensure by reciprocity.
[3/7/1980...8/27/1990; A, 7/15/1997; A, 7/31/1998; 16.19.12.9 NMAC - Rn, 16 NMAC 19.12.6, 3/30/2002; A, 12/15/2002; A, 9/30/2003; A, 3/22/2015; A, 8/2/2019; A, 11/30/2021; A, 5/07/2024]

16.19.12.10 CERTIFICATE OF REGISTRATION OR REPLACEMENT: Any replacement of a certificate shall be accompanied by a notarized statement of the reason or cause of the loss of the original, or by the original certificate to be replaced in case of damage or name change. All replacement certificates will be given the same number as the original certificate and will be marked "DUPLICATE".

- A.** Certificate of registration \$20.00
- B.** Replacement of a certificate of registration \$20.00

[3/7/1980...8/27/1990; 16.19.12.10 NMAC - Rn, 16 NMAC 19.12.10, 3/30/2002; A, 8/2/2019]

16.19.12.11 CERTIFICATION OF GRADES AND INTERNSHIP HOURS:

- A.** Certification of grades \$10.00
- B.** Certification of internship hours \$10.00

[3/7/1980...8/27/1990; 16.19.12.11 NMAC - Rn, 16 NMAC 19.12.11, 3/30/2002]

16.19.12.12 LICENSE/REGISTRATION RENEWAL:

- A.** Pharmacist license renewal for active \$200.00 bi-ennially
- B.** Pharmacist license renewal for in-active \$70.00 bi-ennially
- C.** Intern renewal \$25.00 per year
- D.** Duplicate license for interns and pharmacists \$10.00
- E.** Controlled substance registration \$180.00 tri-ennially

A locum tenens practitioner may apply for an initial registration which expires no more than one year after date of issuance, and this registration fee shall be \$60.00. The board may issue a registration for a time period determined by the board and shorter than three years if it is consistent with the public health and safety.

- F.** Duplicate license for controlled substance \$10.00
- G.** Pharmacy technician renewal \$30.00 bi-ennially
- H.** Pharmacist clinician \$70.00 bi-ennially
- I.** Pharmacist license renewal for active pharmacists with 50 or more years of service \$70.00 bi-ennially

J. Note: Waiver of license renewal fees: The board of pharmacy waives the renewal fee set forth in regulation 16.19.12.12 for individuals who are currently serving in the United States military in an active war zone or who serve in direct support of operation in active war zones.

K. Initial renewal fees are waived for United States military service members, spouses (includes surviving spouse of a member who at the time of member's death was serving on active duty), dependent children, and veterans, who obtained pharmacist licensure by reciprocity.
[3/7/1980...8/27/1990; A, 7/31/1998; A, 11-14-98; 16.19.12.12 NMAC - Rn, 16 NMAC 19.12.12, 3/30/2002; A, 12/15/2002; A, 9/30/2003; A, 7/15/2004; A, 12/15/2005; A, 1/31/2007; A, 3/22/2015; A, 6/26/2018, A, 12/15/2020; A, 11/30/2021]

16.19.12.13 LICENSE FEES:

- A.** Drug manufacturer \$1000.00 bi-ennially
- B.** Wholesale drug distributor \$1000.00 bi-ennially
- C.** Drug manufacturer/re-packager \$1000.00 bi-ennially
- D.** Re-packager \$1000.00 bi-ennially
- E.** Retail pharmacy \$300.00 bi-ennially
- F.** Hospital pharmacy \$300.00 bi-ennially
- G.** Nonresident pharmacy \$400.00 bi-ennially
- H.** Nonresident pharmacy, sterile compounding \$600.00 bi-ennially
- I.** Seller or dispenser of contact lenses \$200.00 bi-ennially
- J.** Dangerous drug research \$200.00 bi-ennially
- K.** Drug warehouse \$200.00 bi-ennially
- L.** Duplicate license or permit(for all types) \$10.00 per each request

- M.** Letter of good standing, verification, and certification \$10.00 per each request
- N.** Outsourcing facility \$2000.00 bi-ennially
- O.** Third party logistics provider \$1000.00 bi-ennially
- P.** Medical gas repackager, or seller \$200 bi-ennially

[3/7/1980...5/1/1993; 16.19.12.13 NMAC - Rn, 16 NMAC 19.12.13, 3/30/2002; A, 9/30/2003; A, 7/15/2004; A, 1/15/2005; A, 12/15/2005; A, 1/31/2007; A, 11/15/2010; A, 12/13/2015; A, 3/23/2016; A, 11/28/2017; A, 8/2/2019, A, 12/15/2020, A, 2/28/2023; A, 5/07/2024]

16.19.12.14 DRUG ROOM PERMIT:

- A.** Drug room permit in adult shelter care or custodial care facility:
 - (1) 10 or fewer beds: \$100.00 bi-ennially
 - (2) 11 or more beds: \$200.00 bi-ennially
- B.** Drug room permit in an intermediate nursing home facility \$200.00 bi-ennially
- C.** Drug room permit in a skilled nursing home facility \$200.00 bi-ennially

[3/7/1980...8/27/1990; 16.19.12.14 NMAC - Rn, 16 NMAC 19.12.14, 3/30/2002; A, 9/30/2003; A, 10/24/2014; A, 12/13/2015]

16.19.12.15 CLINIC LICENSE FEES:

- A.** Class A, B, C, or E Clinic \$300.00 bi-ennially
- B.** Class D clinic \$50.00 bi-ennially
- C.** Animal control clinic \$100.00 bi-ennially

[3/7/1980...8/6/1994; 12/15/1999; 16.19.12.15 NMAC - Rn, 16 NMAC 19.12.15, 3/30/2002; A, 9/30/2003; A, 10/24/2014; A, 12/13/2015, A, 2/28/2023]

16.19.12.16 HOME CARE SERVICES DRUG PERMIT FEE: \$75.00 per year

[3/7/1980...8/6/1994; 16.19.12.16 NMAC - Rn, 16 NMAC 19.12.16, 3/30/2002; A, 8/2/2019]

16.19.12.17 LIMITED VETERINARY DRUG RETAIL OR WHOLESALE LICENSE: Limited veterinary drug retail or wholesale license shall be: \$150.00 per year

[3/7/1980...2/22/1993; 16.19.12.17 NMAC - Rn, 16 NMAC 19.12.17, 3/30/2002; A, 8/2/2019]

16.19.12.18 INSPECTION FEE:

- A.** Initial inspection or reinspection \$150.00
- B.** Pre-licensing inspection for Class D clinic \$30.00

[3/7/1980...2/22/1993; 16.19.12.18 NMAC - Rn, 16 NMAC 19.12.18, 3/30/2002; A, 12/13/2015]

16.19.12.19 DRUG PRECURSOR LICENSE: Drug precursor manufacturer or distributor license \$500.00 bi-ennially

[3/7/1980...2/22/1993; 16.19.12.19 NMAC - Rn, 16 NMAC 19.12.19, 3/30/2002; A, 8/2/2019]

16.19.12.20 REINSTATEMENT FEES: Any person whose board registration or license has expired and who seeks reinstatement of the certificate of license must pay the following reinstatement fee in addition to all delinquent renewal fees:

- A.** Pharmacists \$25.00
- B.** All other licenses issued by the board of pharmacy under the Pharmacy Act and the Drug Precursor Act including, but not limited to, licenses for retail pharmacy, non-resident pharmacy, wholesale drug distributor, drug manufacturer, hospital pharmacy, drug room, nursing home, clinic facility, wholesalers, retailers or distributors of veterinary drugs, and drug precursor, twenty-five percent of the license renewal fee not to exceed \$100.00

C. Controlled substance registrations are exempt from reinstatement fees. Delinquent renewal fees shall not exceed \$180.00

[3/7/1980...2/22/1993; 16.19.12.20 NMAC - Rn, 16 NMAC 19.12.20, 3/30/2002; A, 12/13/2015; A, 8/2/2019, A, 12/15/2020]

16.19.12.21 EMS LICENSURE FEES: Annual license fees shall be paid to the board according to the following schedule:

- A.** The home office or headquarters shall pay \$50.00;
B. Every additional location shall pay \$25.00.
[N, 12/15/1999; 16.19.12.21 NMAC - Rn, 16 NMAC 19.12.21, 3/30/2002]

HISTORY OF 16.19.12 NMAC:

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

BOP 69-2, Rules and Regulations of the State Board of Pharmacy, 6/13/1969.

BOP 69-3, New Mexico Laws and Regulations, Pharmacy Act, Drug and Cosmetic Act, Narcotic Drug Act, Poisons Act, Board of Pharmacy Rules and Regulations, 8/15/1969.

BOP 72-1, New Mexico Board of Pharmacy Rules and Regulations Promulgated Pursuant to New Mexico Drug and Cosmetic Act, Pharmacy Act, Controlled Substances Act, 7/31/1972.

Regulation No. 12, Fees, 2/7/1980.

Regulation No. 12, Fees, 5/5/1983.

Regulation No. 12, Fees, 10/24/1985.

Regulation No. 12, Fees, 2/2/1987.

Regulation No. 12, Fees, 7/27/1990.

History of Repealed Material:

BOP 72-1, New Mexico Board of Pharmacy Rules and Regulations Promulgated Pursuant to New Mexico Drug and Cosmetic Act, Pharmacy Act, Controlled Substances Act - Repealed, 10/29/1985.

Other History:

16 NMAC 19.12, Pharmacists - Fees, filed 2/2/1996, reformatted and renumbered to 16.19.12 NMAC, Fees, effective 3/30/2002.