

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 20 PHYSICAL THERAPISTS
PART 12 EXPEDITED LICENSING REQUIREMENTS

16.20.12.1 ISSUING AGENCY: New Mexico Physical Therapy Board.
[16.20.12.1 NMAC - Rp, 16.20.12.1 NMAC, 6/27/2023]

16.20.12.2 SCOPE: All those individuals who wish to practice physical therapy in the state of New Mexico.
[16.20.12.2 NMAC - Rp, 16.20.12.2 NMAC, 6/27/2023]

16.20.12.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to Subsection C of Section 62-23D-5, Section 61-1-1 to -34 (ULA) (HB 180) NMSA 1978 and Section 61-1-1 to -37 (ULA) (HB 191) NMSA 1978.
[16.20.12.3 NMAC - Rp, 16.20.12.3 NMAC, 6/27/2023]

16.20.12.4 DURATION: Permanent.
[16.20.12.4 NMAC - Rp, 16.20.12.4 NMAC, 6/27/2023]

16.20.12.5 EFFECTIVE DATE: June 27,2023, unless a later date is cited at the end of a section.
[16.20.12.5 NMAC - Rp, 16.20.12.5 NMAC, 6/27/2023]

16.20.12.6 OBJECTIVE: The purpose of this part is to provide for the issuance of expedited licenses pursuant to Section 61-1-31.1 NMSA and 1978 Section 61-1-34 NMSA 1978.
[16.20.12.6 NMAC - Rp, 16.20.12.6 NMAC, 6/27/2023]

16.20.12.7 DEFINITIONS:

A. “Eligible jurisdiction” means any state or territory of the United States except those included in the list of disapproved licensing jurisdictions under 16.20.12.8 NMAC

B. “Expedited license” means a provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the board.

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 Subsection E of Paragraph (1) of Section 61-1-34 NMSA 1978.

F. “Military service member” has the same meaning as defined in Subsection E of Paragraph (2) 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, as defined by Subsection D of this rule;

(2) does not have a disqualifying criminal conviction, as defined by Subsection C of 16.20.3.8 NMAC of 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 Subsection E of Paragraph (3) of Section 61-1-34 NMSA 1978.

[16.20.12.7 NMAC - Rp, 16.20.12.7 NMAC, 6/27/2023]

16.20.12.8 EXPEDITED LICENSURE BY RECIPROCITY; LIST OF DISAPPROVED LICENSING JURISDICTIONS; REASONS:

A. Applicants for licensure as physical therapists licensed in the following states and territories of the United States shall not be eligible for expedited licensure under subsection H of Section 61-12D-10 of the Physical Therapy Act:

(1) American Samoa, on the grounds that education and licensure requirements cannot be determined to be consistent with those requirements in New Mexico;

(2) Guam, on the grounds that Guam, on the grounds that it cannot be determined if there is an examination requirement;

B. Applicants for licensure as physical therapist assistants licensed in the following states and territories of the United States shall not be eligible for expedited licensure under Subsection H of Section 61-12D-10 of the Physical Therapy Act:

(1) American Samoa, on the grounds that this profession is not licensed;

(2) Guam, on the grounds that it cannot be determined if there is an examination requirements;

[16.20.12.8 NMAC - Rp, 16.20.12.8 NMAC, 6/27/2023]

16.20.12.9 [RESERVED]

16.20.12.10 EXPEDITED LICENSURE BY RECIPROCITY; APPLICATION:

A. A candidate for expedited licensure must submit to the board a complete application containing all of the following:

(1) A completed and signed application form;

(2) Proof of current unrestricted license in good standing held by the applicant in another jurisdiction, including a branch of the United States armed forces;

(3) Submission of fingerprints and other information necessary for a state criminal background check;

(4) 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, including documentation from third parties, required by subsection A.

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 is not a qualified applicant as defined by this rule and has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-12D-18 of the Physical Therapy Act:

(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/commission 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.

[16.20.12.10 NMAC - N, 6/27/2023]

16.20.12.11 CONTINUING EDUCATION REQUIREMENTS; FIRST RENEWAL OF EXPEDITED LICENSURE:

15 hours of continuing education is required for physical therapists or physical therapists assistants after one (1) year of the expedited licensure;

[16.20.12.11 NMAC – N, 6/27/2023]

16.20.12.12 EXPEDITED LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES, DEPENDENTS AND VETERANS; APPLICATION REQUIREMENTS:

A. A candidate for expedited licensure must submit to the board a complete application containing all of the following:

(1) A completed and signed application form;

(2) Proof of current unrestricted license in good standing held by the applicant in another jurisdiction, including a branch of the United States armed forces;

(3) Submission of fingerprints and other information necessary for a state criminal background check;

(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 Form 214, DD Form 215, DD Form 256, DD Form 257, NGB Form 22, military ID card, 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 the board's staff is in receipt of all of the materials, including documentation from third parties, required by subsection A.

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 is not a qualified applicant as defined by this rule and has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-12D-13 of the Physical Therapy Act:

(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, spouse, dependent or veteran who is issued an expedited license shall not be charged a any initial licensing fees or renewal fees for the first three years of licensure with the board; [16.20.12.12 NMAC; N, 6/27/2023]

16.20.12.13 EXPEDITED LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES, DEPENDENTS AND VETERANS; DURATION AND RENEWAL:

A. An expedited license issued to an applicant under this rule shall be valid for one year from the date of issuance.

B. A licensee holding an expedited license may apply for license renewal in the manner provided by the board's rules. If the licensee holding an expedited license was not required by the licensee's original jurisdiction outside of New Mexico to pass the national physical therapy examination and the New Mexico jurisprudence exam, the licensee shall be required to take and pass the national physical therapy examination and the New Mexico jurisprudence exam in accordance with as a prerequisite to license renewal.

C. Upon renewal, the board shall issue a regular license to a licensee holding an expedited license granted under this rule.

[16.20.12.13 NMAC; N, 6/27/2023]

HISTORY OF 16.20.12 NMAC: 16.20.12 NMAC, Expedited Licensure For Military Service Members And Veterans, Filed 9/30/2014, was repealed and replaced by 16.20.12 NMAC, Expedited Licensure, effective 6/27/2023.