

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 26 HEARING, SPEECH AND AUDIOLOGY PRACTITIONERS
PART 10 EXPEDITED LICENSURE

16.26.10.1 ISSUING AGENCY: New Mexico Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Board.
[16.26.10.1 NMAC - Rp, 16.26.10.1 NMAC, 01/08/2023]

16.26.10.2 SCOPE: The provisions in Part 10 of Chapter 26 apply to all applicants for expedited licensure.
[16.26.10.2 NMAC - Rp, 16.26.10.2 NMAC, 01/08/2023]

16.26.10.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Speech-Language Pathology and Audiology and Hearing Aid Dispensing Practices Act, (Sections 61-14B-1 to 61-14B-25 NMSA 1978) and the Uniform Licensing Act NMSA 1978 (Sections 61-1-1 to 61-1-37).
[16.26.10.3 NMAC - Rp, 16.26.10.3 NMAC, 01/08/2023]

16.26.10.4 DURATION: Permanent.
[16.26.10.4 NMAC - Rp, 16.26.10.4 NMAC, 01/08/2023]

16.26.10.5 EFFECTIVE DATE: January 8, 2023, unless a later date is cited at the end of a section.
[16.26.10.5 NMAC - Rp, 16.26.10.5 NMAC, 01/08/2023]

16.26.10.6 OBJECTIVE: The objective of Part 10 is to promote, preserve and protect the public health, safety and welfare by regulating and setting professional standards for applicants for expedited licensure.
[16.26.10.6 NMAC - Rp, 16.26.10.6 NMAC, 01/08/2023]

16.26.10.7 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 16.26.10.8 NMAC; and
 - (2) any foreign country included in 16.26.10.9 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 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 by 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) Subsection E of Section 61-1-34 NMSA 1978.
[16.26.10.7 NMAC - Rp, 16.26.10.7 NMAC, 01/08/2023]

16.26.10.8 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 61-14B-16.1 NMSA 1978, of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act:

A. Speech-language pathologist: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure under Section 61-14B-16.1 NMSA 1978, of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act: American Samoa, Northern Mariana Islands, and the U.S. Virgin Islands, on that grounds that these jurisdictions do not regulate this profession.

B. Audiologist: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure under Section 61-14B-16.1 NMSA 1978, of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act:

(1) Alaska, Arkansas, Colorado, Connecticut, District of Columbia, Hawaii, Idaho, Illinois, Iowa, Kentucky, Maine, Massachusetts, Minnesota, Missouri, New Hampshire, New York, Puerto Rico, South Dakota, Vermont, Washington, West Virginia, on that grounds that these jurisdictions have multiple pathways to licensure that do not meet New Mexico's education and examination requirements.

(2) American Samoa, Northern Mariana Islands, and the U.S. Virgin Islands, on the grounds that these jurisdictions do not regulate this profession.

C. Hearing aid dispenser: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure under Section 61-14B-16.1 NMSA 1978, of the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act:

(1) Alaska, California, District of Columbia, and Idaho, on that grounds that these jurisdictions do not have training and/or examination requirements consistent with New Mexico.

(2) American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands, on the grounds that these jurisdictions do not regulate this profession.
[16.26.10.8 NMAC - Rp, 16.26.10.8 NMAC, 01/08/2023]

16.26.10.9 LIST OF APPROVED FOREIGN JURISDICTIONS: [RESERVED]

16.26.10.10 EXPEDITED LICENSURE APPLICATION:

A. A candidate for expedited licensure under Section 61-1-31.1 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 a current license in good standing in an eligible jurisdiction as defined in these rules; and

(3) 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 Subsection A, 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 potentially disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-14B-21 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.

[16.26.10.10 NMAC – N, 01/08/2023]

16.26.10.11 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 all of the following:

(1) A completed and signed application form;

(2) proof of a current license in good standing in 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: 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; 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 the board's 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, 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 potentially disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-14B-21 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.

[16.26.10.11 NMAC – N, 01/08/2023]

16.26.10.12 EXPEDITED LICENSE DURATION AND RENEWAL:

A. An expedited license shall be valid for the same length of time as a regular initial license issued by the board.

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, the licensee must also satisfy the following examination requirements:

(1) The licensee shall be required to pass the New Mexico jurisprudence examination.

(2) For speech-language pathologists, if the licensee holding an expedited license was not required by the licensee's original jurisdiction outside of New Mexico to pass a nationally recognized standard examination in speech-language pathology, the licensee shall be required to pass the examination prior to renewing the license.

(3) For audiologists, if the licensee holding an expedited license was not required by the licensee's original jurisdiction outside of New Mexico to pass a nationally recognized standard examination in audiology, the licensee shall be required to pass the examination prior to renewing the license.

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

[16.26.10.12 NMAC – N, 01/08/2023]

History of 16.26.12 NMAC:

16.26.10 NMAC – Emergency Licensure, filed 11/9/2006 was repealed and replaced with 16.26.10 NMAC – Expedited Licensure, effective 01/08/2023.