

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 27 COUNSELORS AND THERAPISTS
PART 21 EMERGENCY LICENSURE

16.27.21.1 ISSUING AGENCY: Regulation and Licensing Department Counseling and Therapy Practice Board
[16.27.21.1 NMAC - N, 2/10/2006]

16.27.21.2 SCOPE: An individual wishing to practice as a professional mental health counselor (LPC), professional clinical mental health counselor (LPCC), licensed marriage and family therapist (LMFT), alcohol and drug abuse counselor (LADAC) and licensed art therapist (LPAT) following a federally declared disaster.
[16.27.21.2 NMAC - N, 2/10/2006]

16.27.21.3 STATUTORY AUTHORITY: These parts are promulgated pursuant to the Counselor and Therapist Practice Act, Sections 61-9A-1, 61-9A-3, and 61-9A-7 through 61-9A-9 NMSA 1978 and the Uniform Licensing Act, Section 61-1-30 NMSA 1978.
[16.27.21.3 NMAC - N, 2/10/2006; A, 11/30/2021]

16.27.21.4 DURATION: Permanent
[16.27.21.4 NMAC - N, 2/10/2006]

16.27.21.5 EFFECTIVE DATE: February 10, 2006, unless a later date is cited at the end of a section.
[16.27.21.5 NMAC - N, 2/10/2006]

16.27.21.6 OBJECTIVE: The objective of Part 21 is to outline requirements, procedures, and criteria for issuance of an emergency license.
[16.27.21.6 NMAC - N, 2/10/2006]

16.27.21.7 DEFINITIONS: [RESERVED]

16.27.21.8 PROVISIONS FOR EMERGENCY LICENSURE:

A. An applicant affected in a federal disaster currently licensed as a counselor or therapist in another jurisdiction and is in good standing and otherwise meets the requirements for New Mexico licensure may be licensed in New Mexico during the four months following the declared federal disaster at no cost upon satisfying the following requirements:

- (1) be at least 21 years of age; and
- (2) applicant must sign a statement provided in the application indicating the applicant has read the code of ethics and agrees to be bound and governed by the code of ethics;
- (3) a completed application;
- (4) proof of identity, which may include a copy of a driver's license, passport or other photo identification issued by a governmental entity;
- (5) sworn affidavit statement that because of circumstance arising out of a declared area the applicant is unable to obtain proof documentation otherwise required by rules by the board;
- (6) refer to 16.27.4 NMAC, requirements for licensure as a professional clinical mental health counselor (LPCC);
- (7) refer to 16.27.6 NMAC, requirements for licensure as a marriage and family therapist (LMFT);
- (8) refer to 16.27.7 NMAC, requirements for licensure as a professional art therapist (LPAT);
- (9) refer to 16.27.8 NMAC, requirements for licensure as a professional mental health counselor (LPC);
- (10) refer to 16.27.10 NMAC, requirements for licensure as an alcohol and drug abuse counselor (LADAC); and
- (11) verification of current licensure or certification (no access to national database, board staff will verify).

B. The board may waive submission of the specific forms only if the applicant is unable to obtain the required document from an affected federally declared disaster area:

- (1) verification of supervised hours (attachment B);
- (2) official university transcripts;
- (3) attachment E (mental health clinical core curriculum), attachment D (marriage and family core curriculum), attachment F (art therapy core curriculum), attachment D (alcohol and drug education and training hours), and letters of reference for alcohol and drug abuse counselors.

C. Nothing in this section shall constitute a waiver of the requirements for licensure contained in 16.27.4 NMAC, 16.27.6 NMAC, 16.27.7 NMAC, 16.27.8 NMAC, and 16.27.10 NMAC.

D. Emergency licensure shall expire on September 30, unless renewed by the board. Application for renewal shall consist of the following:

- (1) completed application;
- (2) a 2"x 2" photograph of the applicant;
- (3) an application fee of \$75.00;
- (4) other documentation required in all parts of these rules, also to include but not limited to, documents regarding supervision, any additional training or coursework, work experience, and client contact hours;
- (5) official transcripts in a sealed envelope from each institution contributing to the applicant's master or doctoral degree; the transcript must be submitted with the application;
- (6) a statement from each supervisor in a sealed envelope on form attachment B, verifying the applicant's supervised experience and setting forth the nature and extent of such supervision must be submitted with the application;
- (7) completion of a core curriculum worksheet;
- (8) completion of training and education hours for alcohol and drug abuse counselors; and
- (9) letters of reference.

E. Examination: an applicant who has completed the educational and supervision requirements for licensure as a professional clinical mental health counselor (LPCC), professional marriage and family therapist (LMFT), professional art therapist (LPAT), professional mental health counselor (LPC), and alcohol and drug abuse counselor (LADAC), shall be required to pass the board approved examination(s).
[16.27.21.8 NMAC - N, 2/10/2006; A, 11/30/2021]

16.27.21.9 EMERGENCY LICENSE TERMINATION: In accordance with the procedures established by the Uniform Licensing Act, 61-1-1 to 61-11-31 NMSA 1978, the board may deny, suspend or revoke a license held or applied for under the Counseling and Therapy Practice Act, and may fine or reprimand a licensee or take any other action provided for in the Uniform Licensing Act, upon grounds that the licensee:

- A.** is guilty of fraud, deceit, or misrepresentation in procuring or attempting to procure any license provided for the counseling and therapy practice board;
- B.** failure to apply or renew for permanent licensure;
- C.** termination of an emergency license shall not preclude applicant from permanent licensure.

[16.27.21.9 NMAC - N, 2/10/2006]

HISTORY OF 16.27.21 NMAC: [RESERVED]