

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 27 COUNSELORS AND THERAPISTS
PART 24 EXPEDITED LICENSURE

16.27.24.1 ISSUING AGENCY: Regulation and Licensing Department-Counseling and Therapy Practice Board.
[16.27.24.1 NMAC - Rp, 16.27.24.1 NMAC, 1/18/2023]

16.27.24.2 SCOPE: The provisions in Part 24 of Chapter 27 apply to all applicants for expedited licensure.
[16.27.24.2 NMAC - Rp, 16.27.24.2 NMAC, 1/18/2023]

16.27.24.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Counseling and Therapy Practice Act, Sections 61-9A-1 through -30 NMSA 1978, specifically including Section 61-9A-9, and the Uniform Licensing Act, Sections 61-1-31.1 and -34 NMSA 1978.
[16.27.24.3 NMAC - Rp, 16.27.24.3 NMAC, 1/18/2023]

16.27.24.4 DURATION: Permanent.
[16.27.24.4 NMAC - Rp, 16.27.24.4 NMAC, 1/18/2023]

16.27.24.5 EFFECTIVE DATE: January 18, 2023, unless a later date is cited at the end of a section.
[16.27.24.5 NMAC - Rp, 16.27.24.5 NMAC, 1/18/2023]

16.27.24.6 OBJECTIVE: The objective of Part 24 is to promote, preserve and protect the public health, safety and welfare by regulating and setting professional standards for applicants for expedited licensure.
[16.27.24.6 NMAC - Rp, 16.27.24.6 NMAC, 1/18/2023]

16.27.24.7 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 16.27.24.8 NMAC; and
 - (2) any foreign country included in 16.27.24.9 NMAC.
- B. “Expedited license”** means a provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the board, and also referred to as expedited licensure by credentials in Section 61-9A-22 NMSA 1978.
- 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) 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) possesses a master’s or doctoral degree in counseling or a counseling related field from an accredited institution;
 - (3) does not have a disqualifying criminal conviction, as defined in the board’s rules;
 - (4) has practiced as a licensed professional for at least two consecutive years immediately prior to application; and
 - (5) is not, and has not been, subject to formal disciplinary action by a licensing board in New Mexico or any other jurisdiction within the past two years.
- H. “Veteran”** has the same meaning as defined in Paragraph (3) of Subsection E of Section 61-1-34 NMSA 1978.
[16.27.24.7 NMAC - Rp, 16.27.24.7 NMAC, 1/18/2023]

16.27.24.8 LIST OF DISAPPROVED LICENSING JURISDICTIONS; REASONS:

A. Licensed mental health counselor (LMHC).

(1) Disapproved jurisdictions: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure as a LMHC under Section 61-9A-22 NMSA 1978, of the Counseling and Therapy Practice Act:

(a) Alaska, Hawaii, Massachusetts, New Hampshire, New York, Oregon, Pennsylvania, Rhode Island, Tennessee, U.S. Virgin Islands, and Vermont, on the grounds that these jurisdictions do not license, register, certify, or otherwise regulate this associate level practitioner;

(b) Arizona, California, Colorado, Connecticut, Florida, Georgia, Kentucky, Louisiana, Michigan, Montana, Nebraska, Nevada, North Carolina, Oklahoma, Puerto Rico, South Carolina, Utah, Virginia, Washington, West Virginia, and Wyoming, on the grounds that the education, training, and/or examination requirements for licensure are not consistent with New Mexico's minimum requirements.

(c) American Samoa, on the grounds that education and examination requirements cannot be determined.

(2) Approved jurisdictions: Jurisdictions approved for expedited licensure as a LMHC, and the approved license type from each approved jurisdiction, are as follows: Alabama – associate licensed counselor (ALC); Arkansas and New Jersey – licensed associate counselor (LAC); Delaware (licensed associate counselor of mental health (LACMH)); Idaho, Illinois, Kansas, Minnesota, North Dakota, Ohio, South Dakota, – licensed professional counselor (LPC); Indiana – licensed mental health counselor associate (LMHCA); Iowa – temporary licensed mental health counselor (T-LMHC); Maine – licensed professional counselor (LPC), conditional LPC, and conditional licensed clinical professional counselor (conditional LCPC); Maryland – licensed graduate professional counselor (LGPC); Mississippi and Missouri – provisional licensed professional counselor (P-LPC); Texas – licensed professional counselor intern (LPC-Intern); Northern Mariana Islands – licensed mental health counselor (LMHC) and licensed mental health counselor associate (LMHCA); Guam – licensed mental health counselor (LMHC).

B. Licensed professional clinical mental health counselor (LPCC).

(1) Disapproved jurisdictions: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure as a LPCC under Section 61-9A-22 of the Counseling and Therapy Practice Act:

(a) Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, Northern Mariana Islands, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, U.S. Virgin Islands, Washington, West Virginia, Wisconsin, and Wyoming, on the grounds that the education, training, or examination requirements for licensure are not consistent with New Mexico's minimum requirements.

(b) American Samoa, on the grounds that education and examination requirements cannot be determined.

(2) Approved jurisdictions: Jurisdictions approved for expedited licensure as a LPCC, and the approved license type from each jurisdiction include: Alaska, Arkansas, and Mississippi – licensed professional counselor (LPC); Idaho, Illinois, Kansas, and Maine – licensed clinical professional counselor (LCPC); Indiana – licensed mental health counselor (LMHC); Minnesota, North Dakota, and Ohio – licensed professional clinical counselor (LPCC); South Dakota – licensed professional counselor-mental health (LPC-MH); Vermont – licensed clinical mental health counselor (LCMHC).

C. Licensed professional art therapist (LPAT).

(1) Disapproved jurisdictions: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure as a LPAT under Section 61-9A-22 NMSA 1978, of the Counseling and Therapy Practice Act:

(a) Alabama, Alaska, American Samoa, Arizona, California, Florida, Georgia, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Northern Mariana Islands, Ohio, Pennsylvania, Oklahoma, Puerto Rico, Rhode Island, South Carolina, South Dakota, Utah, U.S. Virgin Islands, Vermont, Washington, West Virginia, and Wyoming, on the grounds that these jurisdictions do not license, register, certify, or otherwise regulate this profession.

(b) Colorado and Texas, on the grounds that the education, training, or examination requirements for licensure are not consistent with New Mexico's minimum requirements.

(2) Approved jurisdictions: Jurisdictions approved for expedited licensure as a LPAT, and the approved license type from each jurisdiction include: Arkansas – LPC with specialization license in art therapy; Connecticut – clinical licensed art therapist (CLAT); Delaware, District of Columbia, Kentucky, Mississippi, New Jersey, and Tennessee – licensed professional art therapist (LPAT); Maryland – licensed clinical professional art therapist (LCPAT); New York and Oregon – licensed creative arts therapist (LCAT); Virginia – licensed art therapist (LAT); Wisconsin – registered art therapist with license to practice psychotherapy.

D. Licensed associate marriage and family therapist (LAMFT).

(1) Disapproved jurisdictions: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure as a LAMFT under Section 61-9A-22 NMSA 1978, of the Counseling and Therapy Practice Act:

(a) American Samoa, District of Columbia, Guam, Hawaii, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New York, Northern Mariana Islands, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Dakota, U.S. Virgin Islands, Vermont, and Virginia, on the grounds that these jurisdictions do not license, register, certify, or otherwise regulate this profession.

(b) Alabama, Alaska, California, Colorado, Connecticut, Florida, Georgia, Illinois, Iowa, Louisiana, Montana, Nevada, New Jersey, Oregon, Tennessee, Utah, Washington, West Virginia, Wisconsin, and Wyoming, on the grounds that the education, training, or examination requirements for licensure are not consistent with New Mexico’s minimum requirements.

(2) Approved jurisdictions: Jurisdictions approved for expedited licensure as a LAMFT, and the approved license type from each jurisdiction include: Arizona, Arkansas, Delaware, Idaho, Minnesota, and North Dakota – licensed associate marriage and family therapist (LAMFT); Indiana, Kentucky, Mississippi, North Carolina, Ohio, South Carolina, and Texas – licensed marriage and family therapist associate (LMFTA); Kansas – licensed marriage and family therapist (LMFT); Maine – conditional marriage and family therapist license; Maryland – licensed graduate marriage and family therapist (LGMFT).

E. Licensed marriage and family therapist (LMFT).

(1) Disapproved jurisdictions: Applicants licensed in the following states and territories of the United States shall not be eligible for expedited licensure as a LMFT under Section 61-9A-22 NMSA 1978, of the Counseling and Therapy Practice Act:

(a) American Samoa and Puerto Rico, on the grounds that these jurisdictions do not license, register, certify, or otherwise regulate this profession.

(b) California, on the grounds that the education, training, or examination requirements for licensure are not consistent with New Mexico’s minimum requirements.

(c) Northern Mariana Islands, on the grounds that education, training and examination requirements cannot be determined.

(2) Approved jurisdictions: Jurisdictions approved for expedited licensure as a LMFT, and the approved license type from each jurisdiction include: Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, U.S. Virgin Islands, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming – licensed marriage and family therapist (LMFT); Maryland – licensed clinical marriage and family therapist (LCMFT); Nebraska – licensed mental health practitioner – MFT certification; Ohio – licensed independent marriage and family therapist (LIMFT).

[16.27.24.8 NMAC - Rp, 16.27.24.8 NMAC, 1/28/2023]

16.27.24.9 LIST OF APPROVED FOREIGN JURISDICTIONS:

[RESERVED]

[16.27.24.9 NMAC - Rp, 16.27.24.9 NMAC, 1/18/2023]

16.27.24.10 EXPEDITED LICENSURE APPLICATION:

A. An applicant 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 61-1-36 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.

[16.27.24.10 NMAC - N, 1/18/2023]

16.27.24.11 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 61-1-36 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.

[16.27.24.11 NMAC - N, 1/18/2023]

16.27.24.12 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. Initial licenses, including expedited licenses, may be issued for a period greater than twelve months, but less than 24 months, in order to align the license expiration date with the board's renewal cycle.

B. A licensee holding an expedited license may apply for license renewal in the manner provided by the board's rules, provided that, if the licensee holding an expedited license was not required by the licensee's licensing jurisdiction outside of New Mexico to pass a national or state examination normally required for licensure in New Mexico, 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.

[16.27.24.12 NMAC - N, 1/18/2023]

History of 16.27.24 NMAC:

16.27.24 NMAC - Licensure for Military Service Members, Spouses and Veterans, filed 10/15/2014, was repealed and replaced by 16.27.24 NMAC - Licensure for Military Service Members, Spouses and Veterans, effective 11/30/2021.

16.27.24 NMAC - Licensure for Military Service Members, Spouses and Veterans, filed 11/30/2021, was repealed and replaced by 16.27.24 NMAC – Expedited Licensure, effective 1/18/2023.