

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 16 OPTOMETRIC PRACTITIONERS
PART 4 REQUIREMENTS FOR LICENSURE BY ENDORSEMENT

16.16.4.1 ISSUING AGENCY: New Mexico Board of Optometry.
[10/14/1995; 2/15/1999; A, 6/26/2000; 16.16.4.1 NMAC - Rn, 16 NMAC 16.4.1, 3/15/2001; A, 7/6/2012]

16.16.4.2 SCOPE: The provisions in Part 4 of Chapter 16 apply to all applicants for licensure by endorsement.
[10/14/1995; 16.16.4.2 NMAC - Rn, 16 NMAC 16.4.2, 3/15/2001]

16.16.4.3 STATUTORY AUTHORITY: The authority for Part 4 of Chapter 16 is Section 61-2-8 NMSA 1978; Section 61-2-9 NMSA 1978; Subsection C of 61-2-11 NMSA; and Subsection D of 61-2-6 NMSA 1978 (1995 Repl. Pamp.).
[11/17/1973; 3/31/1991; 8/21/1992; 6/24/1994; 10/14/1995; 16.16.4.3 NMAC - Rn, 16 NMAC 16.4.3, 3/15/2001]

16.16.4.4 DURATION: Permanent.
[10/14/1995; 16.16.4.4 NMAC - Rn, 16 NMAC 16.4.4, 3/15/2001]

16.16.4.5 EFFECTIVE DATE: October 14, 1995, unless a later date is cited at the end of a section.
[11/17/1973...5/31/1996; 16.16.4.5 NMAC - Rn, 16 NMAC 16.4.5, 3/15/2001; A, 3/15/2004]

16.16.4.6 OBJECTIVE: The objective of Part 4 of Chapter 16 is to establish clearly the licensure application procedures and requirements for endorsement candidates to qualify to sit for the board's licensing examination.
[10/14/1995; 16.16.4.6 NMAC - Rn, 16 NMAC 16.4.6, 3/15/2001]

16.16.4.7 DEFINITIONS:
A. "NBEO" means the national board of examiners in optometry.
B. "NBEO Part I" refers to the NBEO basic science exam.
C. "NBEO Part II" refers to the NBEO clinical science exam.
D. "NBEO Part III" refers to the NBEO patient care exam which consists of PMP's (patient management); VRICS (visual recognition and interpretation of clinical signs); and clinical skills.
E. "The TMOD" refers to the NBEO treatment and management of ocular disease exam.
[10/14/1995; 16.16.4.7 NMAC - Rn, 16 NMAC 16.4.7, 3/15/2001]

16.16.4.8 EXAMINATION REQUIREMENTS:

A. Prior to January 15, 1995, the board administered its own ten-part written examination in the following areas: practical optometry, theoretical optometry, pharmacology, contact lenses, geometrical optics, perimetry (visual fields), ocular pathology, ocular anatomy, physiological optics, and orthoptics.

(1) Prior to January 15, 1995, qualified endorsement candidates were waived the requirement of sitting for these 10 sections of the board's written examination if the state of original licensure could verify that the applicant was examined in these areas in a state exam, and that the applicant passed each section with a seventy-five percent passing score or higher.

(2) Prior to January 15, 1995, qualified endorsement candidates were required to sit only for the board's practical examination and were required to pass it with seventy-five percent.

B. As of January 15, 1995, in order to qualify for licensure by endorsement, an applicant licensed in other states prior to January 15, 1995, must provide verification from the other state licensing board that the applicant successfully passed a written state examination in the areas examined in New Mexico prior to January 15, 1995, and that the applicant passed the exams with a seventy-five percent or higher.

C. Applicants licensed as optometrists in other states prior to January 15, 1995, who have not successfully passed a written state examination with a seventy-five percent or higher in the areas examined in New Mexico prior to January 15, 1995, must present proof of having successfully passed Part I, Part II, Part III, and the TMOD of the NBEO exam as a prerequisite to sitting for the board's examination.

D. As of January 15, 1995, the board's written exam no longer consists of the 10 areas listed in Subsection A of 16.16.4.8 NMAC. The board now accepts Part I, Part II, Part III, and the TMOD of the NBEO

exam instead. Applicants licensed in other states after January 15, 1995 must provide verification of having successfully passed Part I, Part II, Part III, and the TMOD of the NBEO in order to sit for the board's exam.

E. As of January 15, 1995, endorsement candidates are required to take all of the board's licensing examination and to pass each section with a seventy-five percent or better in order to qualify for licensure. [10/14/1995; 5/31/1996; 16.16.4.8 NMAC - Rn, 16 NMAC 16.4.8, 3/15/2001]

16.16.4.9 APPLICATION REQUIREMENTS: At least 65 days prior to the next scheduled examination every applicant for licensure by endorsement must submit to the board office the required application-processing fee with a letter of intent stating the date of examination for which he/she wishes to be scheduled. The following items must be received by the board office at least 40 days prior to the regularly scheduled board examination for which the applicant wishes to be scheduled.

- A.** A copy of the applicant's birth certificate certified to be a true and correct copy of the original.
- B.** An affidavit that the applicant has not at any time preceding application been engaged in any optometric practice of an illegal or unethical nature as defined in the Optometry Act.
- C.** Copy(ies) of any other state license(s) held by the applicant.
- D.** Official pre-optometry transcript(s) sent directly to the board office by each college or university attended by the applicant.
- E.** A complete, official optometry transcript showing the applicant's graduation sent directly to the board office by a college of optometry as approved by the American optometric association's council on optometric education.
- F.** Letters of reference from two currently licensed optometrists in the endorsing state of licensure.
- G.** Verification of successful completion of 100 or more post-graduate clock hours of ocular therapeutics pharmacology from an accredited institution.
- H.** A complete professional resume or curriculum vitae to date.
- I.** Copy of current certification attesting to completion of a CPR course offered by the American red cross, the American heart association, or the American safety and health institute (ASHI). The course cannot be self-study.
- J.** A completed, signed, and notarized board-approved exam application form.
- K.** The required application and examination fees (16.16.2.8 NMAC and 16.16.2.9 NMAC).
- L.** A recent, passport-type photograph of the applicant which the applicant has signed on the back in the presence of the notary public who is also witnessing the applicant's signature on the application form.
- M.** Verifications of licensure status sent directly to the board from all state licensing boards where the applicant is or has ever been licensed. Endorsement candidates will require the following information:
 - (1)** verification that the applicant has been actively engaged in the practice of optometry in the state of licensure or in federal service for seven consecutive years immediately prior to the year in which application is made to the board office;
 - (2)** verification that the applicant has completed 14 days, or 112 hours of continuing education during the immediate seven years prior to the application, providing that at least 22 of those hours were completed within the immediate prior year; and
 - (3)** verification of examination requirements which the applicant met to be licensed to practice in that state (see 16.16.4.8 NMAC).
- N.** Verification must be provided for pre-1994-1995 academic year optometry school graduates of successful completion of a minimum 20 hour course in clinical pharmacology as set forth in Subsection B of 16.16.7.11 NMAC.
- O.** A list of the names of any New Mexico licensed optometrist(s) with whom the applicant is acquainted; with whom the applicant has a professional or personal affiliation; or that the applicant would feel uncomfortable being examined by, in the event that one of those optometrists is a board member or a clinical examiner for the board. Failure to provide this information prior to the examination may disqualify the candidate from the exam.
- P.** Each approved exam candidate will be required to bring his/her copy of the board's exam policy and procedures document to the clinical exam and to sign it in the presence of the board's representative in attestation that the candidate has read the document; and a copy of the document will become a part of the candidate's examination records.

16.16.4.10 EXPEDITED LICENSURE: Doctors of Optometry with current licenses in good standing in jurisdictions within the United States with licensing standards equal to or greater than New Mexico as determined by

the board of optometry shall be eligible for expedited licensure. Criterion for this licensure shall include payment of the licensure fee, completing the proper application forms, and passing the New Mexico jurisprudence examination within one year of licensure. Any applicant for this expedited licensure procedure who has had a license suspended or revoked in another jurisdiction within the United States and its territories shall not be eligible for expedited licensure.

[16.16.4.10 NMAC - N, 05-29-2019]

16.16.4.11 APPLICATION APPROVAL: When the candidate has met all the requirements stipulated in this regulation, and upon board review and approval of the above documentation, each approved candidate will be scheduled by letter to sit for the board's examination. Candidates will not be allowed entrance into the examination without this schedule notification letter.

A. Candidate Identification. Each candidate will be assigned an identification number that will be the sole means of candidate identification throughout the administration and scoring of the examination.

B. At least one form of picture identification will be required for entrance into the examination.

[11/17/1973; 12-6-87; 3/31/1991; 8/21/1992; 6/24/1994; 10/14/1995; 2/15/1999; 16.16.4.10 NMAC - Rn, 16 NMAC 16.4.10, 3/15/2001; A, 5/29/2019]

16.16.4.12 INELIGIBILITY FOR LICENSURE: Any applicant for licensure who desires to take the board examination and who has had a license either suspended or revoked in any jurisdiction shall be ineligible to take the examination until that license is reinstated by the other licensing jurisdiction.

[11/17/1973; 10/14/1995; 5/31/1996; 2/15/1999; 16.16.4.11 NMAC - Rn, 16 NMAC 16.4.11, 3/15/2001; A, 5/29/2019]

16.16.4.13 INCOMPLETE APPLICATIONS PURGED: Incomplete applications for licensure will be kept on file for two years from the date the first item of documentation was received and board staff created a file. [N, 6/26/2000; 16.16.4.12 NMAC - Rn, 16 NMAC 16.4.12, 3/15/2001; A, 3/15/2004; A, 5/29/2019]

HISTORY of 16.16.4 NMAC:

Pre-NMAC History:

Material in the part was derived from that previously filed with the commission of public records - state records center and archives:

OEB 73-1, Rule No. 1 of the Administrative Rules and Regulations of the State Board of Examiners in Optometry, filed 10/18/1973.

NMBO Rule 8, Board Rule No. 8 - Licensure By Endorsement, filed 3/1/1991.

NMBO Rule 8, Board Rule No. 8 - Licensure By Endorsement, filed 7/22/1992.

NMBO Rule 8, Board Rule No. 8 - Licensure By Endorsement, filed 5/25/1994.

History of Repealed Material: [Reserved]

Other History:

16 NMAC 16.4, Requirements For Licensure By Endorsement, filed 9/21/1995, replaced NMBO Rule 8, Board Rule No. 8 - Licensure By Endorsement. Filed 5/25/1994.

16 NMAC 16.4, Requirements For Licensure By Endorsement, filed 9/21/1995, was renumbered and reformatted to 16.16.4 NMAC, Requirements For Licensure By Endorsement, effective 3/15/2001.