

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 19 PHARMACISTS
PART 2 EXAMINATIONS

16.19.2.1 ISSUING AGENCY: Regulation and Licensing Department - Board of Pharmacy, Albuquerque, NM.

[02-15-96; 16.19.2.1 NMAC - Rn, 16 NMAC 19.2.1, 03-30-02; A, 06-08-16]

16.19.2.2 SCOPE: All applicants for licensure as pharmacists by examination or reinstatement of licensure by examination.

[02-15-96; 16.19.2.2 NMAC - Rn, 16 NMAC 19.2.2, 03-30-02]

16.19.2.3 STATUTORY AUTHORITY: Section 61-11-9 NMSA 1978 establishes qualifications for licensure as a pharmacist by examination. Section 61-11-6.A.(2) NMSA 1978 requires that the board of pharmacy provide for at least two examinations a year of applicants for licensure as pharmacists.

[02-15-96; 16.19.2.3 NMAC - Rn, 16 NMAC 19.2.3, 03-30-02; A, 06-08-16]

16.19.2.4 DURATION: Permanent

[02-15-96; 16.19.2.4 NMAC - Rn, 16 NMAC 19.2.4, 03-30-02]

16.19.2.5 EFFECTIVE DATE: February 15, 1996, unless a later date is cited at the end of a section.

[02-15-96; 16.19.2.5 NMAC - Rn, 16 NMAC 19.2.5, 03-30-02; A, 02-15-03]

16.19.2.6 OBJECTIVE: The objective of Part 2 of Chapter 19 is to identify candidates qualifications and establish uniform criteria for obtaining licensure as a pharmacist by examination.

[02-15-96; 16.19.2.6 NMAC - Rn, 16 NMAC 19.2.6, 03-30-02]

16.19.2.7 DEFINITIONS: [RESERVED]

[02-15-96; 16.19.2.7 NMAC - Rn, 16 NMAC 19.2.7, 03-30-02]

16.19.2.8 APPLICATIONS - SUBJECTS: Applicants for licensure by examination shall pass the standard national examination currently known as the North American pharmacist licensure examination (NAPLEX) and pass the multi-state pharmacy jurisprudence examination (MPJE).

A. EXAMINATIONS:

(1) In order to sit for the examination based on NAPLEX subjects, the applicant must be a graduate from a college of pharmacy accredited by the American council on pharmaceutical education (ACPE).

(2) To pass an examination, the candidate shall have a score of at least 75 in the NAPLEX examination.

(3) To pass the MPJE in the state of New Mexico, the candidate shall have a score of at least 75.

(4) Candidates taking NAPLEX in participating states may transfer scores in compliance with national association of board of pharmacy (NABP) "score transfer program", upon payment of the fee to the New Mexico board of pharmacy for licensure by examination, and in compliance with such other requirements set by the New Mexico board of pharmacy so long as New Mexico participates in the NABP "score transfer program".

(5) Only those score-transfer applicants who have passed the NAPLEX and received their score may take the MPJE.

B. Graduates of schools or colleges of pharmacy not accredited by the ACPE, shall be eligible to take the licensing examination required under this section by providing evidence satisfactory to the board that the applicant has satisfied the requirements of 61-11-9 NMSA 1978:

(1) has submitted an application on a form supplied by the board;

(2) has completed the internship requirements of 16.19.5 NMAC; and

(3) has successfully completed the NABP foreign pharmacy graduate equivalency examination (FPGEE) certification program.

C. Applicants with work experience as a pharmacist in another country may petition the board to accept the work experience in lieu of internship requirements of 16.19.5 NMAC. The board may elect to accept all, a portion or none of the experience as a substitute for internship requirements.

[04-30-98; 16.19.2.8 NMAC - Rn, 16 NMAC 19.2.8, 03-30-02; A, 02-15-03; A, 12-15-05; A, 06-08-16; A, 03-29-17]

16.19.2.9 EXAMINATION REPEATS: A candidate who fails either the NAPLEX or MPJE may repeat that examination upon submittal of the proper application and fee. A candidate may not take either the NAPLEX or MPJE more than five consecutive times without passing. Failure to finish an examination is counted as an attempt. Candidates who fail or do not complete the NAPLEX shall wait a period of at least 45 days prior to retaking the examination. Candidates who fail or do not complete the MPJE shall wait a period of at least 30 days prior to retaking the examination.

[04-30-98; 16.19.2.9 NMAC - Rn, 16 NMAC 19.2.9, 03-30-02; A, 06-08-16; A, 06-23-17]

16.19.2.10 AGREEMENT OF LICENSURE: All licensees by examination will be required to sign an agreement of licensure.

[04-30-98; 16.19.2.10 NMAC - Rn, 16 NMAC 19.2.10, 03-30-02; A, 06-08-16]

16.19.2.11 COMPLETION OF INTERNSHIP: No applicant may be admitted to the examination until completion of required internship has been certified by the Board.

[04-30-98; 16.19.2.11 NMAC - Rn, 16 NMAC 19.2.11, 03-30-02]

16.19.2.12 QUALIFICATIONS: The board shall not recognize as sufficient qualifications for licensure the diploma of any school or college of pharmacy.

[04-30-98; 16.19.2.12 NMAC - Rn, 16 NMAC 19.2.12, 03-30-02; A, 06-08-16]

16.19.2.13 PHOTO REQUIRED: Each applicant for licensure shall furnish two permanent photographs, head and shoulders only, approximately 3 x 4 inches and signed and dated on the back.

[04-30-98; 16.19.2.13 NMAC - Rn, 16 NMAC 19.2.13, 03-30-02; A, 06-08-16]

16.19.2.14 REINSTATEMENT EXAMINATIONS:

A. The board may require an applicant for reinstatement of licensure, for any reason, including revocation, to make a passing score on any combination of the NAPLEX and MPJE, or the pharmacist assessment remediation evaluation (PARE) or both.

B. The criteria for passing these examinations shall be the same as required by this regulation or as required by the NABP.

C. If a pharmacist has not been active in the area of pharmacy practice for greater than one year but less than six years, the pharmacist candidate shall complete the following:

- (1) submit renewal form;
- (2) pay past renewal fees and reinstatement fees;
- (3) submit proof of continuing education for each inactive renewal period;
- (4) submit proof of completed internship of minimum of 60 hours for each year of inactivity;
- (5) successfully complete the MPJE; or

D. In lieu of past renewal fees, reinstatement fees and proof of continuing education an inactive pharmacist may successfully complete the internship minimum of 60 hours for each year of inactivity, and successfully pass the NAPLEX and the MPJE.

E. If a pharmacist has not been active in the area of pharmacy practice for six years or more, the pharmacist candidate shall:

- (1) complete the internship minimum of 60 hours for each year of inactivity; and
- (2) successfully pass the NAPLEX and the MPJE.

F. The applicant must follow the same rules and procedures as if reciprocating his license as described in 16.19.3 NMAC.

[04-30-98; 16.19.2.14 NMAC - Rn, 16 NMAC 19.2.14, 03-30-02; A, 06-08-16; A, 03-29-17]

HISTORY OF 16.19.2 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

BOP 69-2, Rules and Regulations of the State Board of Pharmacy, 6-13-69.

BOP 69-3, New Mexico Laws and Regulations, Pharmacy Act, Drug and Cosmetic Act, Narcotic Drug Act, Poisons Act, Board of Pharmacy Rules and Regulations, 8-15-69.

BOP 72-1, New Mexico Board of Pharmacy Rules and Regulations Promulgated Pursuant to New Mexico Drug and Cosmetic Act, Pharmacy Act, Controlled Substances Act, 7-31-72.

Regulation No. 2, Examinations, 2-7-80.

Regulation No. 2, Examinations, 10-23-85.

Regulation No. 2, Examinations, 2-2-87.

Regulation No. 2, Examinations, 7-27-90.

History of Repealed Material:

BOP 72-1, New Mexico Board of Pharmacy Rules and Regulations Promulgated Pursuant to New Mexico Drug and Cosmetic Act, Pharmacy Act, Controlled Substances Act - Repealed, 10-29-85.

Other History:

16 NMAC 19.2, Pharmacists - Examinations, filed 02-02-96; 16 NMAC 19.2, Pharmacists - Examinations, filed 11-27-96, reformatted and renumbered to 16.19.2 NMAC, Examinations, effective 03-30-2002.