

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 19 PHARMACISTS
PART 3 RECIPROCITY

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

[02-15-96; 16.19.3.1 NMAC - Rn, 16 NMAC 19.3.1, 03-30-02; A, 01-31-07; A, 10-19-16]

16.19.3.2 SCOPE: All applicants for licensure as pharmacists by reciprocity.

[02-15-96; 16.19.3.2 NMAC - Rn, 16 NMAC 19.3.2, 03-30-02]

16.19.3.3 STATUTORY AUTHORITY: Section 61-11-10 NMSA 1978 authorizes the board of pharmacy to issue a certificate of licensure as a pharmacist, with or without examination, by reciprocity.

[02-15-96; 16.19.3.3 NMAC - Rn, 16 NMAC 19.3.3, 03-30-02; A, 10-19-16]

16.19.3.4 DURATION: Permanent.

[02-15-96; 16.19.3.4 NMAC - Rn, 16 NMAC 19.3.4, 03-30-02]

16.19.3.5 EFFECTIVE DATE: February 15, 1996, unless a different date is cited at the end of a Section or Paragraph. This Part reformatted for inclusion into the New Mexico Administrative Code (NMAC) effective 2-15-96.

[02-15-96; A, 04-30-98; 16.19.3.5 NMAC - Rn, 16 NMAC 19.3.5, 03-30-02]

16.19.3.6 OBJECTIVE: The objective of Part 3 of Chapter 19 is to recognize qualifications of pharmacists licensed by examination in other states that grant reciprocal privileges in New Mexico and to establish uniform criteria for obtaining licensure as a pharmacist by reciprocity.

[02-15-96; 16.19.3.6 NMAC - Rn, 16 NMAC 19.3.6, 03-30-02; A, 10-19-16]

16.19.3.7 DEFINITIONS: [RESERVED]

[02-15-96; 16.19.3.7 NMAC - Rn, 16 NMAC 19.3.7, 03-30-02]

16.19.3.8 RECIPROCAL LICENSURE: Reciprocal licensure shall be granted to those persons licensed by examination as a licensed pharmacist in other states or territories of the United States which grant reciprocal privileges in New Mexico. An applicant must be a graduate of an approved college of pharmacy and have completed required intern training or have worked one year as a licensed pharmacist in the state in which the applicant has licensure by examination.

[08-27-90; 16.19.3.8 NMAC - Rn, 16 NMAC 19.3.8, 03-30-02; A, 10-19-16]

16.19.3.9 APPLICANT INELIGIBLE:

A. An applicant shall be deemed to be ineligible to reciprocate if licensure in the state of examination is not current; or if the pharmacist has worked less than one year or internship requirements at the time of examination, did not meet New Mexico's internship requirements.

B. An applicant who has not been active in pharmacy for a period of one year or more, shall be required to complete such internship as the board shall deem necessary. The internship period shall be a minimum of 60 hours for each year inactive. The applicant shall be required to successfully complete the North American pharmacist licensure examination (NAPLEX) or multi-state pharmacy jurisprudence examination (MPJE).

[08-27-90; 16.19.3.9 NMAC - Rn, 16 NMAC 19.3.9, 03-30-02; A, 10-19-16]

16.19.3.10 LICENSURE REINSTATEMENT OF RECIPROCITY LICENSE ELIGIBILITY: An applicant who qualifies for and acquired a license in a state that does not grant reciprocal privileges with New Mexico shall be deemed ineligible for reciprocal licensure.

A. An applicant must have current pharmacist licensure in the state in which the applicant has licensed by examination.

B. If an applicant has not been active in the area of pharmacy practice for greater than one year but less than five 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 a minimum of 60 hours for each year of inactivity;
- (5) successfully complete the MPJE; and
- (6) submit a current letter of good standing from the state of examination.

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

D. 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.

[08-27-90; 16.19.3.10 NMAC - Rn, 16 NMAC 19.3.10, 03-30-02; A, 10-19-16]

16.19.3.11 JURISPRUDENCE EXAMINATION:

A. An applicant for reciprocity will be required to submit all paperwork required for reciprocity, take the MPJE and shall make a score of not less than seventy-five percent prior to issuance of a license.

B. Failure to appear and take the jurisprudence examination within one year after the application is received shall nullify the application and a refund of fees will not be made.

C. Upon submittal of the proper application and fee, a candidate may repeat the MPJE. A candidate shall take the MPJE no more than five consecutive times without passing. Failure to finish the examination is counted as an attempt. Candidates who fail or do not complete the MPJE shall wait a period of at least 30 days prior to retaking the examination.

[07-28-91; 16.19.3.11 NMAC - Rn, 16 NMAC 19.3.11, 03-30-02; A, 10-19-16]

16.19.3.12 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.

[07-28-91; 16.19.3.12 NMAC - Rn, 16 NMAC 19.3.12, 03-30-02; A, 10-19-16]

16.19.3.13 EVIDENCE OF QUALIFICATIONS: The New Mexico board of pharmacy shall deem an applicant ineligible to be licensed by reciprocity if the application that he submits fails to furnish evidence:

A. that the license which applicant acquired by examination in the state which he applies is in good standing;

B. that applicant completed the NAPLEX examination with a passing score;

C. that the applicant is, in fact, competent and qualified to function as a pharmacist;

D. that applicant is of good moral character and is not addicted to the use of alcohol, narcotic or hypnotic drugs;

E. that the applicant has not been charged with, convicted, fined or had his license suspended or revoked for violation of pharmacy, liquor, narcotic or drug laws.

[08-27-90; 16.19.3.13 NMAC - Rn, 16 NMAC 19.3.13, 03-30-02; A, 10-19-16]

16.19.3.14 PENDING INDICTMENT OR ALLEGED VIOLATIONS: An applicant shall be ineligible for reciprocal licensure if there is pending an indictment or alleged violation of any pharmacy, liquor, narcotic or drug laws or has been convicted of a felony within five years prior to application.

[08-27-90; 16.19.3.14 NMAC - Rn, 16 NMAC 19.3.14, 03-30-02; A, 10-19-16]

16.19.3.15 TEMPORARY LICENSE:

A. Persons who provide acceptable evidence of being currently licensed by examination under the laws of other states in the United States and the District of Columbia, shall be authorized to practice pharmacy for a period of 90 days from the date on receipt of a complete application and a \$50.00 fee. Fee which will go towards the eventual licensing fee. Persons must become duly licensed in this state within 90 days. The licensing agency in each state in which the applicant holds or has held a license shall submit a statement to the board confirming the applicant to be or have been in good standing in that state.

B. The temporary licensee shall not act as the pharmacist-in-charge (unless there is no other pharmacist in the designated facility), a preceptor, or supervisor of interns or externs.

C. The temporary licensee shall be subject to discipline in the same manner as those holding a full license, and shall be subject to immediate suspension upon reasonable evidence of false or incorrect statements in the documents submitted or if found not to be in good standing in other states.

D. The temporary license shall not be renewed or extended.
[16.19.3.15 NMAC - N, 01-31-07; A, 10-19-16]

HISTORY OF 16.19.3 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. 3, Reciprocity, 2-7-80.

Regulation No. 3, Reciprocity, 10-23-85.

Regulation No. 3, Reciprocity, 2-2-87.

Regulation No. 3, Reciprocity, 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 19.3, Pharmacists - Reciprocity, filed 02-02-96, reformatted and renumbered to 16.19.3 NMAC, Reciprocity, effective 03-30-2002.