

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 63 SOCIAL WORKERS
PART 5 EMERGENCY LICENSURE

16.63.5.1 ISSUING AGENCY: Regulation and Licensing Department - Board of Social Work Examiners,
P.O. Box 25101, Santa Fe, NM 87504
[16.63.5.1 NMAC - N/E, 11/9/05]

16.63.5.2 SCOPE: An individual desiring to practice either as a baccalaureate social workers, or a master
social workers, and independent social workers following a federally declared disaster.
[16.63.5.2 NMAC- N/E, 11/9/05]

16.63.5.3 STATUTORY AUTHORITY: These parts are promulgated pursuant to the Social Work
Practice Act, Section 61-31-8A, 14-2-1, 61-31-19 NMSA 1978.
[16.63.5.3 NMAC - N/E, 11/9/05]

16.63.5.4 DURATION: Permanent.
[16.63.5.4 NMAC - N/E, 11/9/05]

16.63.5.5 EFFECTIVE DATE: November 9, 2005, unless a later date is cited at the end of a section.
[16.63.5.5 NMAC - N/E, 11/9/05]

16.63.5.6 OBJECTIVE: The objective of Part 5 is to outline requirements, procedures, and criteria for
issuance of an emergency license.
[16.63.5.6 NMAC - N/E, 11/9/05]

16.63.5.7 DEFINITIONS: [RESERVED]

16.63.5.8 PROVISIONS FOR EMERGENCY LICENSURE:

A. Licensed social workers currently licensed and in good standing, or otherwise meeting the
requirements for New Mexico licensure may be licensed in New Mexico during the six months following the
declared disaster at no cost upon satisfying the following requirements:

(1) receipt by the board of a completed application which has been signed and notarized and which is
accompanied by proof of identity, which may include a copy of a drivers license, passport or other photo
identification issued by a governmental entity;

(2) refer to 16.63.9.8, 16.63.10.8, and 16.63.11.8 NMAC, Qualification of Licensure for licensure
requirements;

(3) verification of licensure from the state in which the federal disaster has been declared; the
verification of licensure must include the following information:

(a) copy of transcripts verifying a bachelors or masters degree from a program of social work
accredited by the council on social work education;

(b) copy of supervision records;

(c) verification the applicant has passed the association of social work board (ASWB) exam at
the appropriate level for which the applicant is applying; and

(d) verification that the license is in good standing with no pending disciplinary action.

(4) sworn affidavit that the applicant was personally or professionally effected by the disaster.

B. The board may waive the following requirements for licensure:

(1) application fees;

(2) taking and passing the NM cultural awareness exam prior to licensure; the applicant will be
required to take and pass the NM cultural awareness exam within three months from the date the emergency license
is issued; the emergency license will automatically expire if the applicant fails to take or fails to pass the NM
cultural awareness exam within three months; and

(3) fee for the cultural awareness examination.

C. The board may waive the specific forms required under 16.63.9.8, 16.63.10.8, and 16.63.11.8
NMAC if the applicant is unable to obtain documentation from the federal declared disaster areas.

(1) If the applicant is unable to obtain official transcripts, from a school located in a declared disaster area, the applicant may submit a sworn affidavit from the applicant verifying he has a bachelors or masters degree in social work.

(2) For LISW applicants who are unable to obtain verification of supervision from a supervisor located in a declared disaster area the applicant may submit a sworn affidavit from the applicant verifying he has 3600 hours of experience and a minimum of 90 hours of supervision.

D. Nothing in this section shall constitute a waiver of the requirements for licensure contained in 16.63.9.8, 16.63.10.8, and 16.63.11.8 NMAC.

E. Licenses issued under (the emergency provision) shall expire on July 1, following the date of issue, unless the board or an agent of the board approves a renewal application. Application for renewal shall be made on or before July 1, following the date of issue to avoid late renewal fees. The board reserves the right to request additional documentation, including but not limited to, recommendation forms and work experience verification forms prior to approving license renewal.

[16.63.5.8 NMAC - N/E, 11/9/05]

16.63.5.9 EMERGENCY LICENSE TERMINATION:

A. The emergency license shall terminate upon the following circumstances:

- (1) the issuance of a permanent license under sections 16.63.9.8, 16.63.10.8, and 16.63.11.8 NMAC;
- (2) proof that the emergency license holder has engaged in fraud, deceit, or misrepresentation in procuring or attempting to procure a license under this section, or failure to take and pass or failure to take the NM cultural awareness exam within three months; or
- (3) violation of the Social Work Practice Act or the social work rules and regulations.

B. Termination of an emergency license shall not preclude application for permanent licensure under sections 16.63.9.8, 16.63.10.8, and 16.63.11.8 NMAC. The board may withhold or deny an application for licensure. 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 Social Work Practice Act, may fine or reprimand a license or take any other action provided for in the Uniform Licensing Act.

[16.63.5.9 NMAC - N/E, 11/9/05]

HISTORY OF 16.63.5 NMAC: [RESERVED]