

This is an amendment to 16.19.2 NMAC, Section 1, 3, 6, 7, 8, 9, 10, 13 and 14 effective 5/07/2024

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; A, 5/07/2024]

16.19.2.3 STATUTORY AUTHORITY: Section 61-11-9 NMSA 1978 establishes qualifications for licensure as a pharmacist by examination. Paragraph (2) of Subsection A of 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; A, 5/07/2024]

16.19.2.6 OBJECTIVE: The objective of Part 2 of Chapter 19 is to identify candidate's 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; A, 5/07/2024]

16.19.2.7 DEFINITIONS: [~~RESERVED~~]

A. "ACPE" Accreditation Council for Pharmacy Education

B. "FPGEE" Foreign Pharmacy Graduate Equivalency Examination

C. "MPJE" Multistate Pharmacy Jurisprudence Examination

D. "NABP" National Association of Boards of Pharmacy

E. "NAPLEX" North American Pharmacist Licensure Examination

[02-15-96; 16.19.2.7 NMAC - Rn, 16 NMAC 19.2.7, 03-30-02; A, 5/07/2024]

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.~~] Candidates must achieve a score of passing as set by NABP to pass the NAPLEX.

(3) [~~To pass the MPJE in the state of New Mexico, the candidate shall have a score of at least 75.~~] Candidates must achieve a score of passing as set by NABP to pass the MPJE.

(4) Candidates taking the 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; A, 5/07/2024]

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~~] four consecutive times without passing, and the time limit is three years from the first exam attempt (respectively). 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; A, 5/07/2024]

16.19.2.10 [RESERVED] [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; Repealed, 5/07/2024]

16.19.2.13 PHOTO REQUIRED: Each applicant for licensure shall furnish [~~two permanent~~] a current photograph[s], 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; A, 5/07/2024]

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~~] two years 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; A, 5/07/2024]