

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

**16.19.3.1 ISSUING AGENCY:** Board of Pharmacy  
[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; A, 5/07/2024]

**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 to persons licensed as pharmacists by examination 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; A, 5/07/2024]

**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 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.  
[08-27-90; 16.19.3.9 NMAC - Rn, 16 NMAC 19.3.9, 03-30-02; A, 10-19-16; A, 5/07/2024]

**16.19.3.10 REINSTATEMENT OF RECIPROCITY LICENSE, ELIGIBILITY:**

**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 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 a minimum of 60 hours for each year of inactivity;
- (5) successfully complete the Multistate Pharmacy Jurisprudence Examination (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 North American Pharmacist Licensure Examination (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; A, 5/07/2024]

**16.19.3.11 JURISPRUDENCE EXAMINATION:**

A. An applicant for reciprocity will be required to submit all paperwork required for reciprocity, and take and pass the MPJE prior to issuance of a license.

B. Failure to take the MPJE 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 four consecutive times without passing, and the time limit is three years from the first exam attempt. 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; A, 5/07/2024]

**16.19.3.12 PHOTO REQUIRED:** Each applicant for licensure shall furnish a current photograph, head and shoulders only, approximately 3 x 4 inches.

[07-28-91; 16.19.3.12 NMAC - Rn, 16 NMAC 19.3.12, 03-30-02; A, 10-19-16; A, 5/07/2024]

**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 they submit fails to furnish evidence:

A. that the license which applicant acquired by examination in the state from which they apply is in good standing;

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

C. that applicant is not addicted to the use of alcohol, narcotic or hypnotic drugs;

D. that the applicant has not been charged with, convicted, fined or had their license suspended or revoked for violation laws pursuant to the provisions of 16.19.4.8 NMAC.

[08-27-90; 16.19.3.13 NMAC - Rn, 16 NMAC 19.3.13, 03-30-02; A, 10-19-16; A, 5/07/2024]

**16.19.3.14 PENDING INDICTMENT OR ALLEGED VIOLATIONS:** An applicant may be ineligible for reciprocal licensure if there is pending an indictment or alleged violation of any law pursuant to the provisions of 16.19.4.8 NMAC.

[08-27-90; 16.19.3.14 NMAC - Rn, 16 NMAC 19.3.14, 03-30-02; A, 10-19-16; A, 5/07/2024]

**16.19.3.15 EXPEDITED LICENSE:**

A. Definitions as used in this section.

(1) **“expedited license”** is a one-year provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the board;

(2) **“military service member”** means a person who is:

(a) serving in the armed forces of the United States as an active duty member, or in an active reserve component of the armed forces of the United States, including the national guard;

(b) the spouse of a person who is serving in the armed forces of the United States or in an active reserve component of the armed forces of the United States, including the national guard, or a surviving spouse of a member who at the time of the member's death was serving on active duty; or

(c) the child of a military service member if the child is also a dependent of that person for federal income tax purposes.

(3) **“veteran”** means a person who has received an honorable discharge or separation from military service of the United States.

B. Alternative licensing procedure. An applicant for expedited licensure who meets all the requirements of this part may be granted a provisional license by reciprocity after completing the National Association of Boards of Pharmacy (NABP) application for pharmacist license by reciprocity (license transfer

program application) and submitting an application for pharmacist license by reciprocity to the board, but prior to taking and passing the NM MPJE.

**C.** 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 one year from the date of expedited license issuance after receipt of a complete application in proper form and license fee as outlined in 16.19.12 NMAC.

**D.** Expedited licenses will be issued no more than 30 days after a complete application meeting all requirements for licensure is received by the board.

**E.** The expedited 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.

**F.** The expedited license shall not be renewed or extended as a provisional license except as allowed by Section 16 of this Part. Before the end of the expedited license term and upon application, a board may renew the license as a regular license after applicant passes the NM MPJE.

**G.** Military service members, including a spouse, dependent, and veteran, are exempt from the initial license fee and initial license renewal fee paid to the board set forth in 16.19.12 NMAC, and must provide documentation of eligibility:

(1) For a military service member, a copy of the service member's military orders.

(2) For a spouse of a military service member, a copy of the service member's military orders and a copy of the marriage license.

(3) For a spouse of a deceased military service member, a copy of the decedent's DD 214 and a copy of marriage license.

(4) For dependent children of military service members, a copy of military service members orders listing dependent child, or a copy of military orders and one of the following: a copy of birth certificate, military service federal tax return, or other governmental or judicial documentation establishing dependency.

(5) For veterans, retired or separated, proof of honorable discharge, a copy of DD 214, DD 215, DD 265, DD 257, NGB 22, military ID card, a state-issued driver's license or identification card with veteran's designation, a veteran ID card (VIC) issued by the U.S Department of Veteran's Affairs, or other official documentation verifying the veteran's honorable discharge from military service.

[16.19.3.15 NMAC - N, 01-31-07; A, 10-19-16; A, 5/07/2024]

#### **16.19.3.16 PORTABILITY OF PHARMACIST LICENSE, SERVICE MEMBERS AND SPOUSES:**

Service members, as defined in 50 USC § 3911, and their spouses who relocate residency to New Mexico because of military orders for military service, may apply for and be issued a provisional pharmacist license by reciprocity, without taking the NM MPJE, during the duration of such military orders if the:

**A.** license is in good standing with the authority that issued it;

**B.** license was actively used during the two years immediately preceding the relocation;

**C.** applicant meets the requirements of this part and completes the NABP application for pharmacist license by reciprocity and submits an application for pharmacist license by reciprocity to the board;

**D.** applicant provides documentation of eligibility and a copy of such military orders to the board;

**E.** applicant remains in good standing with:

(1) the licensing authority that issued the covered license; and

(2) every other licensing authority that has issued to the service member or the spouse of a service member a pharmacist license;

**F.** applicant submits to the authority of the board for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.

[16.19.3.16 NMAC - N, 5/07/2024]

#### **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.