

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 , (505) 222-9830.
[02-15-96; 16.19.3.1 NMAC - Rn, 16 NMAC 19.3.1, 03-30-02; A, 01-31-07]

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 registration 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]

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 registered 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]

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 REGISTRATION: Reciprocal registration shall be granted to those persons registered by examination as a registered pharmacist in other states or territories of the United States which grant reciprocal privileges in New Mexico. Provided, they were apprentices in pharmacy prior to November 20, 1934 and licensed in pharmacy prior to May 20, 1940, after which date applicant must be a graduate of an approved college of pharmacy and have completed required intern training - or have worked one year as a registered pharmacist in the state in which the applicant has registered by examination.
[08-27-90; 16.19.3.8 NMAC - Rn, 16 NMAC 19.3.8, 03-30-02]

16.19.3.9 APPLICANT INELIGIBLE:

- A.** An applicant may be deemed to be ineligible to reciprocate if registration in the state of examination is not current; or if the pharmacist has worked less than one year and his 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 twelve months or more, may be required to complete such internship as the Board may deem necessary, but not to exceed 750 hours, and/or may be required to complete the NABPLEX and/or Jurisprudence examination.

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

16.19.3.10 APPLICANT INELIGIBLE, NON-RECIPROCAL STATE REGISTRATION: An applicant who qualifies for and acquired a license in a state that does not grant reciprocal privileges with New Mexico may be deemed ineligible for reciprocal registration.
[08-27-90; 16.19.3.10 NMAC - Rn, 16 NMAC 19.3.10, 03-30-02]

16.19.3.11 JURISPRUDENCE EXAMINATION:

A. An applicant for reciprocity will be required to submit all paperwork required for reciprocity, take the jurisprudence examination and shall make a score of not less than 75% in the New Mexico Jurisprudence examination 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.
[07-28-91; 16.19.3.11 NMAC - Rn, 16 NMAC 19.3.11, 03-30-02]

16.19.3.12 PHOTO REQUIRED: Each applicant for registration 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]

16.19.3.13 EVIDENCE OF QUALIFICATIONS: The New Mexico Board of Pharmacy may deem an applicant ineligible to be registered 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 in is in good standing;

B. that applicant, if examined after July 1, 1936, passes written examination in pharmacy, chemistry, pharmacology, pharmacognosy, pharmaceutical and chemical math, and a practical examination with a general average of 75% in the written examination or less than 75% in the practical examination; or that applicant, if examined prior to July 1, 1936, obtained a general average of 75% and not less than 60% in any written or practical examination;

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]

16.19.3.14 PENDING INDICTMENT OR ALLEGED VIOLATIONS: An applicant shall be ineligible for reciprocal registration against whom 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]

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 \$50. 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]

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.