

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 16 OPTOMETRIC PRACTITIONERS
PART 3 REQUIREMENTS FOR LICENSURE BY EXAMINATION

16.16.3.1 ISSUING AGENCY: New Mexico Board of Examiners in Optometry.
[10-14-95; 2-15-99; A, 6-26-00; 16.16.3.1 NMAC - Rn, 16 NMAC 16.3.1, 03-15-2001]

16.16.3.2 SCOPE: The provisions in Part 3 of Chapter 16 apply to any applicant for optometric licensure in New Mexico who does not meet the requirements for licensure by endorsement.
[10-14-95; 16.16.3.2 NMAC - Rn, 16 NMAC 16.3.2, 03-15-2001]

16.16.3.3 STATUTORY AUTHORITY: Authority for Part 3 of Chapter 16 is the Optometry Act NMSA 1978, Section 61-2-4.1; Section 61-2-6.B and D. (2), (6) and (7); Section 61-2-8; and Section 61-2-9 (1995 Repl. Pamp.).
[11-17-73; 3-31-91; 8-21-92; 6-24-94; 10-14-95; 16.16.3.3 NMAC - Rn, 16 NMAC 16.3.3, 03-15-2001]

16.16.3.4 DURATION: Permanent.
[10-14-95; 16.16.3.4 NMAC - Rn, 16 NMAC 16.3.4, 03-15-2001]

16.16.3.5 EFFECTIVE DATE: October 14, 1995, unless a later date is cited at the end of a section.
[11-17-73...10-14-95; 5-31-96; 2-15-99; 16.16.3.5 NMAC – Rn, 16 NMAC 16.3.5, 03-15-2001; A, 03-15-2004]

16.16.3.6 OBJECTIVE: The objective of Part 3 of Chapter 16 is to establish clearly the licensure application procedures and requirements for candidates who are seeking licensure by examination to qualify to sit for the Board's licensing examination.
[10-14-95; 16.16.3.6 NMAC - Rn, 16 NMAC 16.3.6, 03-15-2001]

16.16.3.7 DEFINITIONS:

- A.** “NBE0” means the National Board of Examiners in Optometry.
- B.** “NBE0 Part I” refers to the NBE0 Basic Science Exam.
- C.** “NBE0 Part II” refers to the NBE0 Clinical Science Exam.
- D.** “NBE0 Part III” refers to the NBE0 Patient Care Exam which consists of PMP's (Patient Management); VRICS (Visual Recognition and Interpretation of Clinical Signs); and Clinical Skills.
- E.** “the TMOD” means the NBE0 Treatment and Management of Ocular Disease Exam.

[10-14-95; 16.16.3.7 NMAC - Rn, 16 NMAC 16.3.7, 03-15-2001]

16.16.3.8 EXAMINATION REQUIREMENTS:

- A.** As of January 15, 1995, all candidates for licensure are required to take the Board's licensing examination.
- B.** As of January 15, 1995, **all** candidates, except those who have met the qualification requirements set forth in Subsections A and B of 16.16.4.8 NMAC and have been approved as candidates for licensure by endorsement, shall be required to pass Part I, Part II, Part III, and the TMOD of the NBE0 national standards examination as a prerequisite to sitting for the Board’s licensing examination.

[10-14-95, 5-31-96, 2-15-99; 16.16.3.8 NMAC - Rn, 16 NMAC 16.3.8, 03-15-2001]

16.16.3.9 APPLICATION REQUIREMENTS: In accordance with Section 61-2-8 NMSA 1978, and those qualifications set forth therein, candidates for examination must submit to the board office, at least sixty-five (65) days prior to the announced examination date, a letter of intent applying for the next regularly scheduled board examination accompanied by the required application processing fee. In addition to a completed, board-approved application form, the following documents must be received by the board office no later than forty (40) days prior to the requested examination.

- A.** A copy of the applicant’s birth certificate certified by a notary public to be a true and correct copy of the original.
- B.** Letters of reference from two currently licensed optometrists actively engaged in the practice of optometry, and not related to the applicant, written on their letterhead stationery.

C. Official pre-optometry transcript(s) sent directly to the board office by each college or university attended by the applicant.

D. A complete official optometry transcript showing the applicant's graduation sent directly to the board by a college of optometry as approved by the American optometric association's council of optometric education.

(1) An applicant expecting to graduate in the spring or summer prior to the board's examination who does not expect completed transcripts to be available before the documentation deadline, must make arrangements for the school to send a letter directly to the board regarding the applicant's expected graduation.

(2) The letter must be postmarked before the forty-day documentation deadline.

(3) The completed, official transcript must be received by the board before the scheduled examination date or the application will be considered incomplete, and the applicant will be denied entrance into the examination.

E. A statement and copy of other state license(s) held by the applicant.

F. A recent, passport-type photograph of the applicant. The applicant must sign the back of the photograph in the presence of the notary who is also witnessing the applicant's signature on the board-approved exam application form.

G. An affidavit from the applicant that the applicant has not engaged in any optometry practice of an illegal or unethical nature as defined in the New Mexico Optometry Act, NMSA 1978, Sections 61-2-1 to 61-21-18 (1995 Repl. Pamp.).

H. A complete professional resume' or curriculum vitae.

I. A verification from an accredited optometry school of successful completion of one hundred (100) or more post-graduate clock hours of ocular therapeutics pharmacology, as provided in Subsection A of 16.16.7.10 NMAC, and a minimum of twenty (20) post-graduate clock hours in clinical pharmacology as provided in Subsection B of 16.16.7.11 NMAC.

J. Verification directly from the national board of examiners in optometry (NBEO) that the applicant has successfully passed Part I, Part II, Part III, and the TMOD of the NBEO as provided in Subsection B of 16.16.3.8 NMAC.

(1) If NBEO examination results will not be released by the NBEO prior to the documentation deadline, the applicant must submit to the board a copy of the NBEO letter scheduling the applicant for the NBEO exam(s).

(2) Upon receipt of verification of successful completion of the required NBEO exam(s), and upon having met all other requirements stipulated in this regulation, the approved candidate will be scheduled for the next regularly scheduled board examination.

K. A list of the names of any New Mexico licensed optometrist(s) with whom the applicant is acquainted; with whom the applicant has a professional or personal affiliation; or that the applicant would feel uncomfortable being examined by, in the event that one of those optometrists is a board member or a clinical examiner for the board. Failure to provide this information prior to the examination deadline may disqualify the candidate from the exam.

L. Each approved exam candidate will be required to bring his/her copy of the board's exam policy and procedures document to the clinical exam and to sign it in the presence of the board's representative in attestation that the candidate has read the document; and a copy of the document will become a part of the candidate's examination records.

[11-17-73; 3-8-86; 3-31-91; 8-21-92; 6-24-94; 9-30-95; 10-14-95; 5-31-96; 2-15-99; 16.16.3.9 NMAC - Rn, 16 NMAC 16.3.9, 03-15-2001; A, 03-15-2004]

16.16.3.10 APPLICATION APPROVAL: Upon Board review and approval of the above listed documentation, each approved candidate will be scheduled by letter to sit for the board's examination.

A. Candidates will not be allowed entrance into the examination without this schedule notification letter.

B. At least one form of picture identification will be required for entrance into the examination.

C. Each candidate will be assigned an identification number that will be the sole means of candidate identification throughout the administration and scoring of the examination.

[10-14-95; A, 2-15-99; 16 NMAC 16.3.10 - Rn, 16 NMAC 16.3.10, 03-15-2001]

16.16.3.11 INELIGIBILITY FOR LICENSURE. Any applicant for licensure who desires to take the Board examination and who has had a license either suspended or revoked in any jurisdiction shall be ineligible to

take the examination until that license is reinstated.

[11-17-73; 10-14-95; 16 NMAC 16.3.11 – Rn, 16 NMAC 16.3.11, 03-15-2001]

16.16.3.12 INCOMPLETE APPLICATIONS PURGED: Incomplete applications for licensure will be kept on file for two years from the date the first item of documentation was received and board staff created a file.

[N, 6-26-00; 16.16.3.12 NMAC - Rn, 16 NMAC 16.3.12, 03-15-2001, A, 03-15-2004]

HISTORY of 16.16.3 NMAC:

Pre-NMAC History:

Material in the part was derived from that previously filed with the commission of public records - state records center and archives:

OEB 73-1, Rule No. 1 of the Administrative Rules and Regulations of the State Board of Examiners in Optometry, filed 10-18-73.

NMBO Rule 1, Board Rule No. 1 - Requirements for Application, filed 3-1-91.

NMBO Rule 1, Board Rule No. 1 - Requirements for Application, filed 7-22-92.

NMBO Rule 1, Board Rule No. 1 - Requirements for Application, filed 5-25-94.

History of Repealed Material: [Reserved]

Other History:

16 NMAC 16.3, Requirements For Licensure By Examination, filed 9-21-95 replaced that relevant portion of NMBO Rule 1, Board Rule No. 1 - Requirements for Application.

16 NMAC 16.3, Requirements For Licensure By Examination, filed 9-21-95, renumbered and reformatted to 16.16.3 NMAC, Requirements For Licensure By Examination, effective 03-15-2001.