

**TITLE 16        OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 20    PHYSICAL THERAPISTS**  
**PART 4        TEMPORARY LICENSES**

**16.20.4.7       DEFINITIONS:**

**A.**        “On-site” means a physical therapist shall be continuously present in the same building where the assistive personnel are performing services.

**B.**        “NPTE” means the national physical therapy examination.

**C.**        “TEMPORARY LICENSE” means a restricted license that allows new Physical Therapists and Physical Therapist Assistants to practice profession under certain conditions before obtaining a full license.

**D.**        “FACILITY” means any place that provides medical services

[Rn, 16 NMAC 20.5, 10/15/1997; 16.20.4.7 NMAC - Rn & A, 16 NMAC 20.4.7, 8/31/2000]

**16.20.4.8       TEMPORARY LICENSES FOR U.S. TRAINED APPLICANTS:**

**A.**        Upon receipt of an application form as required in 16.20.5.8 NMAC which evidences satisfactory completion of all application requirements for licensure as provided in Section 61-12-10 NMSA 1978, of the Physical Therapy Act except passage of the NPTE, the registrar of the board may issue to the applicant a non-renewable temporary license to practice physical therapy in New Mexico.

**B.**        Under no circumstance will the non-renewable temporary license be valid for a period longer than 180 days.

**C.**        Issuance of a temporary license may be denied if:

**(1)**       the applicant has worked as a physical therapist or physical therapist assistant without a license in New Mexico;

**(2)**       the applicant has violated the New Mexico Physical Therapy [physical therapy] Act and Physical Therapist Assistant [physical therapist assistant] Code [code] of Ethics [ethics] , as revealed by a state criminal background check or a submitted complaint; or

**(3)**       the applicant has failed the licensure examination in any state discoverable from Federation of State Boards of Physical Therapy report or credentialing report.

**D.**        A person with a temporary license must take the NPTE within 180 days of when the temporary license is issued. If the exam is not taken within 180 days, the temporary license is automatically void. For foreign nationals, the 180-day period starts when they enter the United States, not when the license is issued. The applicant is responsible for notifying the board when they arrive in the United States. [The holder of a temporary license must sit for the NPTE within 180 days after issuance of the temporary license. Failure to sit for the examination within 180 days automatically voids the temporary license. Where the holder of the temporary license is a foreign national, the 180 days begin to run once the foreign national has entered the United States.]

**E.**        The holder of a temporary license may work only under the direct supervision of a New Mexico unrestricted licensed physical therapist who is on-site. The supervising physical therapist may **not** hold a temporary license. The supervising physical therapist shall be licensed in New Mexico with a minimum of six months experience in a clinical setting. Prior to the issuance of an applicant’s temporary license, the supervising physical therapist shall submit to [file with] the board via email a written statement assuming full responsibility for the temporary licensee’s professional activities. If the supervising physical therapist cannot [complete the board’s form], submit to the Board a written statement via email or is unable to perform supervisory duties; they must appoint another qualified individual who knows the applicant to submit the statement instead. The statement becomes effective once the board receives it. This responsibility remains in place until the applicant is fully licensed, or the temporary license expires. The applicant will be notified via email of supervising physical therapist approval. Filing is effective upon receipt by the board. This statement shall remain in effect until licensure of the temporary licensee, or until expiration of the temporary license.

**F.**        The temporary licensee may not provide physical therapy services until the temporary license is received and is posted in a conspicuous place at the temporary licensee’s principle place of practice.

**G.**        No supervising physical therapist shall be responsible for the simultaneous supervision of more than two temporary licensees.

**H.**        The supervising physical therapist shall co-sign all evaluations, progress notes, and discharge

summaries written by the temporary licensee.

**I.** The temporary license shall state the name and address of the licensee's place of employment. Should the place of employment or the employer change during the period of temporary licensure, the temporary licensee **must** notify the board of any such change within five workdays of termination of employment. A new temporary supervisory form from the new employer will be required before a revised temporary license is issued. The board will issue a revised temporary license as per the fee schedule as set forth in 16.20.5 NMAC, for each issuance; however, the date of issue and expiration will remain the same as the first temporary license. Any temporary licensee shall only be employed at one facility at a time.

**J.** The temporary supervisory form may be obtained from the online physical therapy board website or from communication with the board office.

[03-29-83; 2/191988; 08-01-89; 09-03-92; 02-01-95; Rn & A, 16 NMAC 20.4, 10/15/1997; 16.20.4.8 NMAC - Rn & A, 16 NMAC 20.4.8, 8/31/2000; A, 03-02-06; A, 01-12-08; A, 08-01-09; A, 08-16-10; A, 09-30-14]

#### **16.20.4.10 TEMPORARY LICENSES FOR PT'S OR PTA'S TEACHING AN EDUCATIONAL SEMINAR:**

**A.** Completion of an instructor license application and pay the non-refundable application fee as provided in Part 5.

**B.** The instructing physical therapist must provide the board with proof of a valid current license from the state in which they are currently practicing. This verification of licensure must be received by the New Mexico board directly from the state board where the instructing therapist is licensed.

**C.** A temporary license may not be used to practice physical therapy for any other purposes than for the continuing education program for which it was issued.

**D.** This section applies only to educational seminars which include hands-on demonstrations.

**E.** A temporary license for an instructor shall only be valid through the end of the calendar year in which the license is issued.

**F. A background check will be required prior to license issuance.**

[10/15/1997; 16.20.4.10 NMAC - Rn & A, 16 NMAC 20.4.10, 8/31/2000; A, 3/2/2006; A, 8/16/2010; A, 7/28/2019]