

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 26 HEARING, SPEECH AND AUDIOLOGY PRACTITIONERS
PART 10 EMERGENCY LICENSURE

16.26.10.1 ISSUING AGENCY: New Mexico Speech Language Pathology, Audiology and Hearing Aid Dispensing Practices Board.
[16.26.10.1 NMAC - N/E, 11/9/05; A, 2/3/06]

16.26.10.2 SCOPE: An individual wishing to practice as a speech-language pathologist, audiologist or hearing aid dispenser following a federally declared disaster.
[16.26.10.2 NMAC - N/E, 11/9/05]

16.26.10.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act NMSA 1978, Sections 61-14B-1 to 61-14B-25 and the Uniform Licensing Act NMSA 1978, Sections 61-1-1 to 61-1-33.
[16.26.10.3 NMAC - N/E, 11/9/05]

16.26.10.4 DURATION: Permanent.
[16.26.10.4 NMAC - N/E, 11/9/05]

16.26.10.5 EFFECTIVE DATE: November 9, 2005, unless a later date is cited at the end of a section.
[16.26.10.5 NMAC - N/E, 11/9/05]

16.26.10.6 OBJECTIVE: The objective of Part 10 is to outline requirements, procedures, and criteria for issuance of an emergency license.
[16.26.10.6 NMAC - N/E, 11/9/05]

16.26.10.7 DEFINITIONS: [RESERVED]

16.26.10.8 PROVISIONS FOR EMERGENCY LICENSURE:

A. A [S] speech-language pathologist, audiologist and hearing aid dispenser currently licensed and in good standing, or otherwise meeting the requirements for New Mexico licensure in a state in which a federal disaster has been declared, may be licensed in New Mexico during the four months following the declared disaster at no cost upon ~~[satisfying the following requirements:] receipt by the board of a completed application that has been signed and notarized and that is accompanied by proof of identity, that may include a copy of a driver's license, passport or other photo identification issued by a governmental entity accompanied by an affidavit that the applicant was personally or professionally affected by the disaster.~~

~~(1) — receipt by the board of a completed application that has been signed and notarized and that is accompanied by proof of identity, that may include a copy of a driver's license, passport or other photo identification issued by a governmental entity;~~

~~(2) — refer to 16.26.3.9, 16.26.3.10 and 16.26.3.11 NMAC and Section 61-14B-12.1 NMSA 1978;~~

~~(3) — sworn affidavit that the applicant was personally or professionally affected by the disaster; the board will verify the qualifications of the applicant.]~~

B. The board may waive the following requirements for emergency licensure:

- (1) application and initial license fee;
- (2) practical examination for hearing aid dispensers (the applicant will be required to take and pass the practical exam within six months from the date the emergency license is issued); and
- (3) jurisprudence exam (the applicant will be required to take and pass the jurisprudence exam within 60 days from the date the emergency license is issued).

C. The board may waive ~~[the specific]~~ required forms ~~[required under 16.26.3.9, 16.26.3.10 and 16.26.3.11 NMAC and Section 61-14B-12.1 NMSA 1978,]~~ if the applicant is unable to obtain documentation from the federal declared disaster area[s].

(1) An applicant for licensure as a speech-language pathologist may submit a sworn affidavit if ~~[they are]~~ the applicant is unable to produce the following documentation:

- (a) transcripts verifying a master's degree in speech-language pathology or communication disorders;
- (b) certificate of clinical competence issued by the American speech-language hearing association (ASHA).

(2) An applicant for licensure as an audiologist may submit a sworn affidavit if ~~[they are]~~ the applicant is unable to produce ~~[the following]~~ documentation that the applicant:

- (a) holds a master's degree in audiology or communication disorders; or an equivalent degree in audiology or communication disorders; or an equivalent degree awarded prior to January 1, 2007; meets the academic requirements for certification of clinical competence from a nationally recognized speech language or hearing association in the area that the applicant is seeking licensure; or
- (b) holds a doctoral degree in audiology or equivalent degree regardless of degree name and meets academic requirements for certification by a nationally recognized hearing association; and
- (c) has completed the current academic, practicum and employment requirements of a nationally recognized speech-language or hearing association; and has passed a nationally recognized standard examination in audiology.

(3) ~~[If]~~ An applicant for an emergency hearing aid dispenser license or an endorsement to dispense may submit a sworn affidavit ~~[if they are]~~ that the applicant is unable to produce the following documentation:

- (a) proof the applicant has a high school education or equivalent;
- (b) a business location in New Mexico;
- (c) proof of passing the HIS, or the NBC-HIS hearing aid written examination or a nationally recognized hearing aid dispenser[s] examination approved by the board or other exams approved by the board with an overall score of at least 70%;
- (d) proof of passing a practical examination with an overall score of at least 70%; if the applicant has not taken the practical exam, ~~[he/she]~~ the applicant must take it within 6 months from the date the emergency license is issued; failure to pass the required practical exam will result in termination of the emergency license.

~~[D. — Nothing in this section shall constitute a waiver of the requirements for licensure contained in 16.26.3.9, 16.26.3.10 and 16.26.3.11 NMAC.]~~

~~[E]~~ D. Licenses issued under 16.26.10 NMAC shall expire six (6) months following the date of issue, unless the board or an agent of the board approves a renewal application. Application for renewal shall be made on or before the expiration date [;] following the date of issue to avoid late renewal fees. The board reserves the right to request additional documentation, including but not limited to, recommendation forms and work experience verification forms prior to approving license renewal.

[16.26.10.8 NMAC - N/E, 11/9/05; A, 2/3/06]

16.26.10.9 EMERGENCY LICENSE TERMINATION:

- A.** The emergency license shall terminate upon the following circumstances:
 - (1) the issuance of a permanent license under sections 16.26.3.9, 16.26.3.10 and 16.26.3.11 NMAC; or
 - (2) proof that the emergency license holder has engaged in fraud, deceit, or misrepresentation in procuring or attempting to procure a license under this section.

B. Termination of an emergency license shall not preclude application for permanent licensure.

[16.26.10.9 NMAC - N/E, 11/9/05]

HISTORY OF 16.26.10 NMAC: [RESERVED]