

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 12 NURSING AND HEALTH CARE RELATED PROVIDERS
PART 15 LICENSED PRACTICAL NURSE (LPN) LICENSURE

16.12.15.1 ISSUING AGENCY: New Mexico Board of Nursing.
[16.12.15.1 NMAC - N, 1/1/2026]

16.12.15.2 SCOPE: This rule applies to all licensed practical nurses in New Mexico and all licenses practical nurses not licensed in this state whose home state is not New Mexico and who wish to practice in New Mexico pursuant to a multi-state license privilege as provided in the nurse licensure compact. These rules also establish eligibility for licensure as a licensed practical nurse.
[16.12.15.2 NMAC - N, 1/1/2026]

16.12.15.3 STATUTORY AUTHORITY: Section 61-3-1 to 61-3-31 NMSA 1978 authorized the board of nursing to regulate the practice of nursing in the state.
[16.12.15.3 NMAC - N, 1/1/2026]

16.12.15.4 DURATION: Permanent.
[16.12.15.4 NMAC - N, 1/1/2026]

16.12.15.5 EFFECTIVE DATE: January 1, 2026, unless a later date is cited at the end of a section.

16.12.15.6 OBJECTIVES: To promote, preserve and protect the public health, safety and welfare of the citizens of the state of New Mexico.
[16.12.15.6 NMAC - N, 1/1/2026]

16.12.15.7 DEFINITIONS: [RESERVED]
[16.12.15.7 NMAC - N, 1/1/2026]

16.12.15.8 FEES: Payment of fees will be accepted in the form specified by the board. The initial license application fee will be for a period of one year, plus the months to the applicant's birth month. Fees will be collected in full to commensurate with the length of the renewal period. Fees are not refundable.

- A. Licensure by examination, expedited, or endorsement:**
 - (1) Licensed practical nurse (LPN) \$150
 - (2) Licensure for military personnel, spouse, dependent, or veteran \$0
 - (3) Reserve Licensed Practical Nurse (RLPN) \$0
- B. License Renewal:**
 - (1) Licensed practical nurse (LPN) \$110
 - (2) First renewal of license for military personnel, spouse, dependent, or veteran \$0
 - (3) Reserve Licensed Practical Nurse (RLPN) \$0
- C. Inactive license renewal (late renewal, lapsed status, reactivation, reinstatement after board action) includes renewal fee:**
 - (1) Licensed practical nurse \$200
 - (2) Reserve Licensed Practical Nurse \$0
- D. Other Fees:**
 - (1) Re-exam LPN \$60
 - (2) Temporary license LPN \$60
 - (3) License verification \$30
 - (4) Multistate/Compact License \$50

[16.12.15.8 NMAC - N, 1/1/2026]

16.12.15.9 LICENSURE REQUIREMENTS FOR LICENSED PRACTICAL NURSES: Licensure with the New Mexico board of nursing is mandatory and is the responsibility of the individual nurse, pursuant to the

Nursing Practice Act. For states who are a part of the nurse licensure compact, licensure in New Mexico can only be issued to applicants who declare New Mexico as their primary state of residence.

A. Prerequisites for licensure of LPNs by examination in New Mexico.

(1) Completion of and eligible for graduation from a board approved course of study for the preparation of practical nurses, or an acceptable level of education as determined by the board or graduation from a program which is equivalent to an approved program of nursing in the United States:

(a) minimum acceptable level of education for LPN licensure by examination and for candidates enrolled in RN programs with LPN programs embedded include:

(i) minimum of 500 total program hours, 250 didactic, 250 clinical hours (clinical and simulation) which includes the minimum as follows; OB/Peds - 30 hours didactic/40 hours clinical; medical-surgical - 60 hours didactic/ 90 hours clinical; pharmacology - 45 hours didactic; and behavioral health - a combination of didactic and clinical for 60 total contact hours;

(ii) LPN transition course approved by the board and who have completed minimum of 500 hours, 250 didactic, 250 clinical hours (clinical and simulation) which includes the minimum as follows; OB/Peds - 30 hours didactic/40 hours clinical; medical-surgical - 60 hours didactic/ 90 hours clinical; pharmacology - 45 hours didactic; and behavioral health - a combination of didactic and clinical for 60 total contact hours;

(b) request to New Mexico board of nursing for LPN licensure examination by acceptable level of education from an approved program of nursing that does not offer a PN program must include:

(i) transcripts with a minimum of 500 hours in nursing education and proof of successful completion of a board approved LPN transition course;

(ii) written communication from the director of the approved nursing program requesting permission for nursing students to test for LPN licensure.

(c) certification of eligibility for LPN licensure examination by students enrolled in a nursing program with an LPN track will need to include:

(i) transcripts with a minimum of 500 hours in nursing education and a board approved LPN transition course passed successfully on completion of board approved LPN transition course;

(ii) written communication from the director of the approved nursing program requesting permission for nursing students to test for LPN licensure.

(2) Puerto Rico applicants who are graduates of a program accredited by a US national nursing accreditation organization practical program taught in English are eligible to sit for the national council licensure examination for the practical nurse (NCLEX-PN) exam. Graduates from a program accredited by a US national nursing accreditation organization taught in Spanish shall demonstrate competency in English by successful completion of a board approve English competency examination.

(3) PN graduates from non-U.S. nursing programs:

(a) shall have an evaluation of their nursing education credentials sent to the board directly from a board recognized educational credentialing agency;

(i) the credentialing agency must be a member of a national credentialing organization and must be monitored by an external committee of credentialing experts and nursing educators;

(ii) the credentialing agency must demonstrate the ability to accurately analyze academic and licensure credentials in terms of U.S. comparability, with course-by-course analysis of nursing academic records;

(iii) the credentialing agency must manage the translation of original documents into English;

(iv) the credentialing agency will inform the board of nursing in the event of fraudulent documents;

(v) the credentials report must state the language of nursing instruction and language of textbooks for nursing education; and

(vi) the credentialing agency must only use original source documents in evaluating nursing education and must compare the foreign education to the U.S. education standards.

(vii) the executive director and the board reserve the right to not recognize an educational credentialing agency that does not meet these requirements.

(b) successful completion of a board approved English competency examinations with the following conditions:

(i) a minimum score of 540 (207 on computerized version) on the test of English as a foreign language (TOEFL) or test of English as a foreign language - internet based test (TOEFL IBT)

minimal passing standard of 84 overall, with a minimum speaking score of 26, a minimum score of 725 on test of English for international communication test of English for international communication (TOEIC) or a minimum score of 6.5 overall with a 7.0 on the spoken portion on the academic version of international English language testing system international English language testing system (IELTS); OET Grade C+ for reading, writing, and listening, OET Grade B for speaking on the occupational English test (OET); a minimum score of 59 or higher and a CEFR score of B2 or higher on the Michigan English test (MET) score report;

- (ii) completion of a nursing program given in English in another country;
- (iii) a passing score on a nursing licensure examination which is given in

English.

(4) Completion of the required board of nursing application for licensure by examination according to instructions and including the required fee.

(5) Completion of NCLEX application for the testing service according to instructions.

(6) Graduates who have compact state addresses or who declare another compact state as their state of residence on their application will have their application for examination denied.

(7) The board shall not approve an application for a license until the applicant provides the following information:

(a) demographics, including race, ethnicity and primary and other languages spoken;

(b) practice status, including but not limited to active practices in New Mexico and other locations; practice type, practice settings, such as hospital, clinic or other clinical settings;

(c) education, training and primary and secondary specialties;

(d) average hours worked per week, and the average number of weeks worked per year in the licensed profession;

(e) percentage of practice engaged in direct patient care and in other activities, such as teaching, research and administration in the licensed profession;

(f) practice plans for the next five years, including retiring from the health care profession, moving out of state or changing health care work hours.

B. Nationwide criminal background check. Applicants for licensure in New Mexico are subject to a state and national criminal background check at their cost.

(1) Applicants will follow the criminal background check process required by the New Mexico department of public safety or its agent.

(2) Applications for exam or endorsement will not be processed without results of a criminal background check.

(3) If the criminal background check reveals a felony or violation of the Nursing Practice Act, the applicant/licensee will be notified to submit copies of legal documents and other related information to be reviewed by the executive director, as delegated by the board, or the board to make the determination if the applicant is eligible for licensure or if disciplinary action will be taken.

C. Complete application for licensure by examination, certification of eligibility for graduation completed by nursing education program or official transcript, and an approved criminal background check must be received by the board office prior to being granted permission to take the national licensing examination (NCLEX). Certification of eligibility for graduation is completed by nursing education program or official transcript, indicating date requirements for graduation from the nursing program were met and certificate or degree awarded must be received in the board office directly from the registrar's office.

D. Results of the examination shall be reported to the individual applicant within two weeks following the applicant's examination date. Examination results shall be released to the applicant's nursing program and boards of nursing unless otherwise instructed, in writing, by applicant.

E. An initial license shall be valid until the last day of the applicants' birth month after the first anniversary of the initial license.

F. Submitted applications containing fraudulent or misrepresented information could be the basis for denial or revocation of licensure.

G. If the licensure process is not completed, the application becomes null and void 12 months after date of the application being received at the board.

H. Permits-to-practice for new graduates may be issued for employment at a specific institution(s) in New Mexico. Permits-to-practice can be emailed, faxed or mailed directly to the New Mexico employing institution(s).

(1) To be eligible for a permit-to-practice, the applicant must:

(a) complete the application process to take the NCLEX within 12 weeks of graduation; the permit to practice for PN graduates of U.S. nursing programs and non-U.S. nursing programs may be issued for a period not to exceed six months from the receipt date of application; permits to practice will not be issued by the New Mexico board of nursing for employment outside of New Mexico; permits-to-practice will not be issued for applicants who declare residency in other compact states;

(b) assure that prospective New Mexico employer(s) submit a letter of intent to employ to the board office, on agency letterhead, indicating the name of a specific New Mexico employer and name and nursing license number of the RN who is responsible for assuring direct supervision by a registered nurse;

(c) have an approved criminal background check result.

(2) Permits-to-practice cannot be transferred or renewed.

(3) Written notification from employer must be made to the board office in case of lost or stolen permit-to-practice.

(4) Permits-to-practice shall be valid until the first licensure examination results are disseminated and shall not exceed the expiration date on the permit.

(a) Applicants who fail the first or any subsequent examination shall not practice nursing until such time as the applicant passes a nursing licensing examination.

(b) Any applicant who fails to appear for the first examination for which applicant is eligible shall not practice nursing until such time as the applicant passes a licensing examination.

(5) Candidates who were not successful on the *national licensure examination* will receive the results as soon as they are available.

(6) Applicants who hold a graduate permit-to-practice, and do not become licensed prior to the expiration date of the permit, may not continue to practice as a graduate nurse or graduate practical nurse.

I. Direct supervision for graduate permit holders:

(1) at a minimum, the RN responsible for direct supervision must be in the facility or on the unit with the graduate;

(2) the RN is responsible for observing, directing and evaluating the performance of the graduate;

(3) the RN supervisor must not be engaged in other activities that would prevent them from providing direct supervision.

J. NCLEX attempt limits:

(1) Applicants educated in the United States may take the examination a maximum of five times within three years of graduation from basic nursing education.

(2) Applicants educated outside of the United States may take the examination a maximum of five times within three years of their initial New Mexico application for licensure through examination.

(a) Applicants educated outside of the United States may apply for initial licensure regardless of date of completion of basic nursing education with verification of licensure as a nurse within the last four years.

(b) Applicants educated outside of the United States may apply for initial licensure within four years of completion of basic nursing education if there is no verification of licensure within the last four years.

(3) The applicant must wait 45 days to retest after failing the exam.

(4) Applicants for re-examination must meet all NCLEX requirements for retaking the examination.

(5) Education requirements must be met as specified and do not provide or allow for any test out options.

K. National council licensing examination:

(1) Applicants for licensure as licensed practical nurses shall be required to pass the NCLEX-PN.

(2) Applicants observed giving or receiving unauthorized assistance during the taking of the national licensing examination shall be referred to the board by a sworn complaint.

(3) Applicants reported to the board for not following examination procedures will have a complaint filed and an investigation consistent with the discipline process.

L. Expedited licensure for licensed practical nurses:

(1) An expedited license is a one-year provisional license that confers the same rights, privileges and responsibilities as regular licenses issued by a board. The board will issue an expedited license to a

qualified applicant based on prior licensure in an eligible jurisdiction other than New Mexico upon an applicant's submission of a complete application containing all the following:

- (a) a completed and signed application form;
 - (b) proof of current licensure in an eligible jurisdiction;
 - (c) proof of good standing for the license held by the applicant in an eligible jurisdiction;
 - (d) submission of fingerprints and other information necessary for a state and national background check; and
 - (e) payment of the required application fee.
- (2) An expedited license application shall not be deemed complete until the applicant has submitted, and the board's staff is in receipt of all the materials required by Paragraph (1) of Subsection L of 16.12.2.15 NMAC including documentation from third parties.
- (3) Upon submission of a complete application, the board's staff shall process the application and issue the expedited license to the applicant within 30 days unless the applicant has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-3-28 NMSA 1978.
- (4) If the applicant has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-3-28 NMSA 1978:
 - (a) the license may not be issued within 30 days of submission of the complete application;
 - (b) the matter of the applicant's application shall be submitted to the board for consideration and action at its next available regular meeting; and
 - (c) the board may vote to grant the application or refer the matter to its administrative prosecutor contemplating the ultimate denial of the application as provided by the board's rules.
- (5) An expedited license is a single-state license not subject to the multistate compact: prior to renewal of license, the holder of the expedited license may apply to change the expedited license to a multistate license and must fulfill all the requirements of the nurse licensure compact, including completing another background check;
- (6) Renewal of licenses:
 - (a) a licensee holding an expedited license may apply for license renewal beginning 60 days prior to expiration of the expedited license, as provided by the board's rules;
 - (b) upon renewal, an expedited license shall become a regular single-state license;
 - (c) if the licensee holding an expedited license was not required by the licensee's original jurisdiction outside of New Mexico to pass the NCLEX for original licensure, the licensee shall be required to take and pass the NCLEX as a prerequisite to the renewal of the license. In such a case, the expedited license shall not be renewed unless the licensee passes the NCLEX.
- (7) Eligible and ineligible jurisdictions:
 - (a) the board will accept expedited license applications based on prior licensure in any jurisdiction within the United States except the following: Puerto Rico, on the grounds that this jurisdiction does not participate in the coordinated licensure system.
 - (b) the board will accept expedited license applications based on prior licensure in the following jurisdictions outside the United States: Canada.
- M.** Qualifications for licensure as LPN are pursuant to the Nursing Practice Act:
 - (1) LPN applicants initially licensed after July 1, 1969, must meet the educational requirements.
 - (2) Military personnel, licensed as LPNs by successful writing of the national licensing examination prior to July 1, 1977, may be licensed in New Mexico by endorsement providing their DD-214 shows the related civilian occupation to be "LPN".
 - (3) Continuing education (CE) is not required for initial licensure by endorsement. CE requirements must be met at the time of the first renewal. CE may be prorated to commensurate with the length of the renewal period.
 - (4) Disciplinary action taken or pending against a nursing license in another jurisdiction, or a conviction of a felony, may result in denial of a license.
- N.** An initial license shall be valid until the last day of the applicants' birth month after the first anniversary of the initial license.
- O.** If the licensure process is not completed within one year after date application received by the board, the application becomes null and void.

P. In case of a health care emergency (as defined in these rules), nurses currently licensed to practice as an LPN in a jurisdiction of the United States may practice in New Mexico without making application for a New Mexico license for a period not to exceed 30 days.

Q. Requirements for relicensure and reactivation. Applicants for relicensure and reactivation must meet CE requirements as stated in these rules, pursuant to the Nursing Practice Act Section 61-3-24 NMSA 1978. The CE may be prorated to commensurate with the length of the renewal period.

(1) Licensed nurses shall be required to complete the renewal process by the end of their renewal month every two years.

(2) A renewal notice shall be sent electronic notification to the licensee at least six weeks prior to the end of the renewal month.

(a) Renewal of license may be accepted no more than 60 days prior to the expiration date of the license.

(b) The board shall not approve an application for the renewal of license until the applicant provides the following information:

(i) demographics, including race, ethnicity and primary and other languages spoken;

(ii) practice status, including but not limited to active practices in New Mexico and other locations; practice type, practice settings, such as hospital, clinic or other clinical settings;

(iii) education, training and primary and secondary specialties;

(iv) average hours worked per week, and the average number of weeks worked per year in the licensed profession;

(v) percentage of practice engaged in direct patient care and in other activities, such as teaching, research and administration in the licensed profession;

(vi) practice plans for the next five years, including retiring from the health care profession, moving out of state or changing health care work hours.

(c) Failure to receive notice of pending renewal shall not relieve the licensee of the responsibility of renewing the license by the expiration date.

(d) If the license is not renewed by the end of the renewal month, licensee does not hold a valid license and shall not practice nursing in New Mexico until the lapsed licensed has been reactivated.

(e) A reactivation fee will be charged when the license has lapsed.

(f) Exception: if renewing, nurses who are mobilized for active duty are not required to renew their license while on active duty, other than training, during a military action. A copy of the mobilization orders must be submitted to the board office prior to the expiration of the license. The license extension shall end one month after deployment is concluded. No reactivation fee will be charged when the license is renewed.

(3) 30 hours of approved CE must be accrued within the 24 months immediately preceding expiration of license. CE may be prorated to commensurate with the length of the renewal period. Exception: if renewed, nurses mobilized for military action are not required to meet the CE requirements while on active duty, other than training, during a military action. A copy of the mobilization order must be submitted along with the renewal application.

(4) Individuals who reside out-of-state who do not hold primary residence in a nurse licensure compact state, but wish to maintain a current, valid New Mexico license, must meet the same requirements for licensure as licensees residing within the state who have declared New Mexico as their primary residence.

(5) Penalty: failure of licensee to meet the CE requirement for licensure shall result in the license not being renewed, reinstated, or reactivated. When the CE requirement has been met, an application for licensure may be submitted for consideration.

(6) Licenses can be verified on the board website or www.nursys.com.

R. Reactivation/reinstatement of a lapsed license must meet the requirements for re-licensure, to include a background check if lapsed for over 90 days, pursuant to the Nursing Practice Act and these rules. A reactivated or reinstated license shall be valid for up to two years.

(1) Individuals who are reactivating a license which has been lapsed for four or more years must complete a refresher course that includes both a didactic and clinical component designed to prepare a nurse who has been out of practice to re-enter into practice.

(a) Applicants will follow the criminal background check process required by the New Mexico department of public safety or its agent and have a new criminal background check result approved.

(b) A temporary license will be issued not to exceed six months unless the board of nursing approves an extension to allow the individual to complete the refresher course clinical component. If documentation is not received by the board verifying successful completion of the refresher course prior to the temporary license expiration date, the individual will not be allowed to practice nursing.

S. Inactive status: Licensee may request their license be placed on inactive status during the renewal cycle only; however, the licensee may not function in a nursing capacity as a New Mexico licensed nurse until the license is reactivated.

T. The board will collect a standardized core essential data set as required in regulation for examinations and renewals which will be entered into the internal licensing database at the board of nursing. [16.12.15.9 NMAC - N, 1/1/2026]

16.12.15.10 RESERVE LICENSED PRACTICAL NURSE:

A. The emergency reserve practical nurse (RLPN). The purpose of the reserve license practical nurse is to allow specific LPNs to enroll in the medical reserve corps and to respond to a public health emergency as declared by the cabinet secretary of the department of health or by the governor.

(1) A licensed practical nurse with a license that is in good standing, and who does not wish to maintain an active licensed practical nursing license may apply to be a reserve licensed practical nurse (RLPN).

(2) A licensed practical nurse with a license that was in good standing, and who does not wish to reactivate their licensed practical nursing license may apply to be a reserve licensed practical nurse (RLPN).

(a) The RLPN must provide verification of enrollment in the medical reserve corps.

(b) The RLPN must maintain continuing education as required by the medical reserve corps.

(c) The RLPN must participate in exercises and emergencies as required by the medical reserve corp.

B. The RLPN license must be renewed every two years through completion of the application process. There is no fee. If the reserve license lapses more than six months, the nurse must complete a background check, complete an application, and submit any information for participating in the medical reserve corps.

C. If an LPN chose to change their license to an RLPN for more than four years, in order to reactivate the LPN license, the applicant must complete a refresher course and meet all licensure requirements for reactivation. [16.12.15.10 NMAC - N, 1/1/2026]

16.12.15.11 CONTINUING EDUCATION:

A. Introduction:

(1) Pursuant to the provision of the Nursing Practice Act, the board of nursing prescribes the following regulations establishing requirements for CE to be met by the licensee to protect the health and well-being of the citizens of New Mexico and to promote current nursing knowledge and practice.

(2) Philosophy of CE: The members of the New Mexico board believe that CE is one of the most important responsibilities of the nurse and is a lifelong process. The primary responsibility for CE rests with the individual nurse. A diversity of nursing-related learning activities is recommended to enhance the scope of professional development.

B. Requirements and rules:

(1) Records:

(a) All licensees must indicate compliance with the CE required by these rules on the renewal application. All information must be completed as requested.

(b) Licensees are responsible for maintaining their own CE records and for keeping the certificates of verification of attendance of CE activities for at least one year after the license is renewed. Photocopies of certificates must be submitted to the board office only if audited and requested.

(2) CE Audit:

(a) Continuing education records are subject to audit by the board.

(b) Licensee may be subject to disciplinary action by the board if non-compliant within 60 days of the first notification of audit.

(c) When audited, CE may be prorated to commensurate with the length of the renewal period.

C. Approved continuing education: To be acceptable in New Mexico, the CE activity must have been approved by a recognized approval body and must enhance the licensee's scope of professional development as related to his/her activities in nursing. The participant must receive a certificate of attendance which validates the

number of approved CE hours awarded, name of the participant, sponsoring agency, approval body and date attended. Correspondence courses, home-study programs, and online courses are acceptable, if approved.

- (1) Recognized approval bodies for CE for nurses.
 - (a) National or state recognized nursing organizations.
 - (b) Other state boards of nursing.
 - (c) New Mexico board-approved local monitoring systems.
- (2) Other CE which may be accepted as approved CE for nurses:
 - (a) academic credit, computation: one academic credit equals 15 contact hours;
 - (b) CE units (CEUs) or contact hours awarded by CE divisions within educational institutions of higher learning;
 - (c) educational offerings approved through other generally recognized health care or professional organizations as related to licensee's nursing practice.

D. Monitoring system: CE hours accrued through educational offerings approved by a local monitoring system shall be accepted as meeting the CE requirements for licensure in New Mexico but may not be accepted by other state boards of nursing as approved CE.

(1) Local monitoring systems within a nursing education program must be approved initially and annually by the board of nursing. A guideline for the establishment and operation of a local monitoring system is available in the board office.

(2) The approval of educational offerings shall be determined on the approval criteria developed by the board.

E. Certification or recertification in the registered nursing specialty are:

(1) Certification or recertification granted by a national professional organization which uses criteria designed to recognize competence in a specialized area of nursing practice may be used as an approved CE.

(2) Verification of certification or recertification is accepted in lieu of the 30 hours of CE required for licensure.

[16.12.15.11 NMAC - N, 1/1/2026]

16.12.15.12 STANDARDS OF LICENSED PRACTICAL NURSING PRACTICE:

A. The LPN scope of practice in the nursing process is limited and focused. The LPN practices in an interdependent role when carrying out nursing care and a dependent role when carrying out medical regimens. The LPN may administer drugs, medications, treatments, tests, injections, and vaccinations, whether or not the piercing of tissues is involved and whether or not a degree of independent judgment and skill is required under the direction of an RN or licensed provider (APRN, MD, DO, DDS, or PA). Such direction must be for acts within the scope of licensed practical nurse practice and the licensed provider. The LPN implements nursing care plans developed by the RN or other authorized health care practitioners. The LPN performs care in routine nursing situations. Functions of a LPN define a routine nursing situation which is relatively free of complexity, and the clinical and behavioral state of the client is relatively stable, requiring care based upon a comparatively fixed and limited body of knowledge. The LPN may assist the RN in complex nursing situations by carrying out selected aspects of the care. LPNs do not supervise RNs.

(1) Competent nursing practice requires that the licensed practical nurse have the knowledge and skills to practice nursing safely and properly in accordance with their licensure status and to perform specific functions or procedures required in their particular area of practice. Competent nursing practice also requires that the licensed practical nurse has the knowledge to recognize and respond to any complication(s) which may result from the function or procedure the nurse performs.

(2) To maintain the requisite knowledge and skills, the licensed practical nurse shall engage in CE specific to their particular area of practice.

(3) The licensed practical nurse shall use individual competence as a criterion in accepting assigned responsibilities.

(4) The licensed practical nurse contributes to the formulation, interpretation, implementation and evaluation of the objectives and policies to nursing practice within their employing setting.

B. The licensed practical nurse shall assign/delegate to licensed and unlicensed persons only those nursing actions which that person is prepared, qualified or licensed or certified to perform.

(1) The licensed practical nurse is accountable for assessing the situation and is responsible for the decision to delegate or make the assignment.

(2) The delegating licensed practical nurse is accountable for each activity delegated, for supervising the delegated function or activity, and for assessing the outcome of the delegated function or activity.

(3) The licensed practical nurse may not delegate the specific functions of nursing assessment, evaluation and nursing judgment to non-licensed persons.

C. The licensed practical nurse shall have knowledge of the laws and rules governing nursing and function within the legal boundaries of nursing practice.

(1) The licensed practical nurse must report incompetent and unprofessional conduct to the appropriate authorities.

(2) The licensed practical nurse must report violations of the Nursing Practice Act and administrative rules of the board of nursing to the board of nursing.

D. The licensed practical nurse acts to safeguard the patient when their care and safety are affected by incompetent, unethical, or illegal conduct of any person by reporting the conduct to the appropriate authorities.

E. The licensed practical nurse shall recognize the dignity and rights of others regardless of social or economic status and personal attributes, shall conduct practice with respect for human dignity, unrestricted by considerations of age, race, religion, sex, sexual orientation, national origin, disability or nature of the patient/client's health problems.

F. The licensed practical nurse safeguards the patient's right to privacy by judiciously protecting information of a confidential nature, sharing only that information relevant to their care.

G. The licensed practical nurse shall identify themselves by name and licensure category and shall provide their license number when requested. Additionally, this includes identification of themselves based on their license as verified by a state board or national database. In a clinical setting, a nurse who earned a doctoral degree may use the title of doctor but must also simultaneously include their licensure category and education.

H. Licensed practical nurses (LPN) practice in accordance with the definition of licensed practical nursing in the NPA Subsection G of Section 61-3-3 NMSA 1978.

(1) The scope of practice of the licensed practical nurse is limited to the curriculum of the practice nurse education which prepared the individual to take the practical nurse licensure examination and the statutory definition. The educational preparation of a practice nurse focuses on care of patients with predictable outcomes, identifying normal from abnormal in body systems, identifying changes in the patient's condition, and reporting findings to the RN, or licensed provider for further assessment. The LPN conducts autonomous assessments with stable patients within the knowledge base.

(2) The scope of practice may be expanded beyond the curriculum when the LPN receives additional training, clinical experience, and provides care consistent with a licensed healthcare facility's policies and practice guidelines. LPNs may assume specific functions and perform specific procedures which are beyond basic preparation for licensed practical nursing Subsection G of Section 61-3-3 NMSA 1978 provided the knowledge and skills required to perform the function and procedure emanates from the recognized body of knowledge and practice of nursing, and the functions or procedure are not prohibited by any law or statute. LPNs who perform procedures which are beyond basic preparation for practical nursing must only perform these procedures under the supervision/direction of a RN or licensed provider.

(3) LPNs may perform intravenous therapy, including initiation of intravenous (IV) therapy, administration of intravenous fluids and medications with a valid order under the following conditions:

(a) the LPN initiation of IV therapy in the peripheral veins and administration of intravenous fluids must occur in a licensed care facility with a registered nurse, APRN, MD, DO, dentist or PA in the patient care area;

(b) the LPN may calculate and observe the flow of IV fluids, stop the flow of IV fluids, and remove peripheral short catheters;

(c) the LPN must report and document observations and procedures relating to intravenous infusion and insertion sites;

(d) the LPN may reconstitute IV antibiotics following pharmacy instruction or organizational policies;

(e) the LPN may administer intravenous fluids through venous access devices, and,
(i) pre-mixed intravenous fluids containing electrolytes and vitamins;
(ii) pre-mixed antibiotic solutions via venous access devices deliver per labeled instructions by gravity flow, pump or direct injection for a period of time consisting of greater than five minutes in duration;

(iii) the first dose of IV antibiotic therapy under the observation of an RN, physician, dentist, APRN, or PA in the same patient care area;

(f) the LPN must assess the systemic effects of intravenous therapy;

saline or heparin;
lock.

- (g) the LPN may flush the venous access device to maintain patency with normal
- (h) the LPN may change dressings or caps to venous access devices; and
- (i) the LPN may switch from continuous infusion of IV fluid to a heparin or saline

(4) The following is outside the scope of practice for an LPN related to IV therapy:

- (a) administration of IV medication unless listed as permissible in these rules;
- (b) access or de-access implanted central venous ports;
- (c) insert peripherally inserted central catheters or a peripheral midline catheter;
- (d) repair of a venous access device;
- (e) removal a central venous access catheter;
- (f) administration of parenteral nutrition solutions;
- (g) administration of blood and blood products;
- (h) administration of chemotherapy medications or solutions;
- (i) administration of thrombolytic agent to de-clot a catheter, and
- (j) direct injection of any IV medication for a period of time consistent of less than five minutes of duration;

(k) may administer medications via the intraperitoneal route provided the LPN has the knowledge and skills to perform IV therapy safely and properly.

(l) LPNs may administer medications for minimum sedation/anxiolysis only. Administration of medications for moderate sedation, deep sedation, or palliative sedation, including the administration of any anesthetics, is not within the LPN scope of practice.

(5) When assuming specific functions and performing specific procedures which are beyond the LPN's basic educational preparation, the LPN is responsible for obtaining the appropriate knowledge, skills and supervision to assure he/she can perform the function/procedure safely and competently.

(6) LPNs may perform selected aesthetic procedures, such as laser treatments, under the direct supervision of a qualified provider. The provider must be in the same patient care area. However, LPNs may not provide aesthetic injections.

J. Educational program criteria. Educational programs preparing either LPNs to perform specific functions and procedures that are beyond basic educational preparations should:

- (1) prepare the nurse to safely and properly perform the function and procedures;
- (2) prepare the nurse to recognize and respond to any complication(s) which may result from the procedure, and;
- (3) verify the nurse's knowledge and the ability to perform the specific functions and procedures.

[16.12.15.12 NMAC - N, 1/1/2026]

16.12.15.13 LICENSE PRACTICAL NURSING PRACTICE AND ARTIFICIAL INTELLIGENCE:

A. The nurse remains accountable for decisions, actions, and intervention derived from or involving artificial intelligence (AI) and is responsible for maintaining the standards of LPN practice.

B. AI shall be considered a decision-support tool. It may augment but must not replace the clinical reasoning and judgment of the LPN.

C. The LPN must demonstrate a basic understanding of AI technologies they use and an awareness that there may be inherent biases.

[16.12.15.13 NMAC - N, 1/1/2026]

16.12.15.14 NURSING PRACTICE ADVISORY COMMITTEE: The board of nursing may appoint an advisory committee to make recommendations to the board regarding nursing practice.

A. The advisory committee shall review practice questions as requested by the board.

B. The advisory committee may also be directed by the board to develop frequently asked questions (FAQ) content and guidance for the board website.

[16.12.15.13 NMAC - N, 1/1/2026]

16.12.15.15 EXPEDITED LICENSURE FOR MILITARY SERVICE MEMBERS AND VETERANS:

A. The board will issue an expedited license to an applicant who is a military service member or veteran based on prior licensure in a jurisdiction other than New Mexico upon the applicant's submission of a complete application containing all of the following:

- (1) a completed and signed application form;
- (2) proof of current licensure in another jurisdiction;
- (3) proof of good standing for the applicant's out of state license;
- (4) submission of fingerprints and other information necessary for a state and national background check; and
- (5) Submission of the following documentation:
 - (a) for military service member: a copy of military orders;
 - (b) for spouse of military service members: copy of military service member's military orders, and copy of marriage license;
 - (c) for spouses of deceased military service members: copy of decedent's DD 214 and copy of marriage license;
 - (d) for dependent children of military service members: a copy of military service member's orders listing dependent child, or a copy of military orders and one of the following: a copy of birth certificate, military service member's federal tax return or other governmental or judicial documentation establishing dependency;
 - (e) for veterans (retired or separated): a copy of DD 214 showing proof of honorable discharge.

B. An expedited license application shall not be deemed complete until the applicant has submitted, and the board's staff is in receipt of all materials required by subsection A, including documentation from third parties.

C. Upon submission of a complete application, the board's staff shall process the application according to licensing protocol and issue the expedited license to the applicant within 30 days unless the applicant has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-3-28 NMSA 1978.

D. If the applicant has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Section 61-3-28 NMSA 1978:

- (1) the license may not be issued within 30 days of submission of the complete application;
- (2) the matter of the applicant's application shall be submitted to the board for consideration and action at its next available regular meeting; and
- (3) the board may vote to grant the application or refer the matter to its administrative prosecutor contemplating the ultimate denial of the application as provided by the board's rules.

E. Duration of expedited licenses:

(1) The first licensure period will be for up to one year from the issuance of the license, with the expiration being correlated to the last day of the applicant's birth month, according to licensing processes. Continuing education will be prorated.

(2) The first renewal period will be for two years from the date of the first expiration date of the first licensure period.

(3) A licensee holding an expedited license may apply for license renewal in the manner provided by the board's rules. If the licensee holding an expedited license was not required by the licensee's original jurisdiction outside of New Mexico to pass the NCLEX, the licensee shall be required to take and pass the NCLEX as a prerequisite to the renewal of the expedited license.

(4) Upon renewal, an expedited license shall become a regular single state license.

(5) If the military expedited licensure holder requests a multistate RN or LPN license, all requirements of the nurse licensure compact must be met, including completion of another background check. The fee for a multistate license will not be waived.

F. Military service members and veterans shall not pay, and the board shall not charge a licensing fee for the first three years for a license issued pursuant to this rule.

[16.12.15 NMAC - N, 1/1/2026]

History of 16.12.15 NMAC: [RESERVED]