

This is an amendment to 16.36.10 NMAC, Sections 8, 9, 10, 12, 14, 15 & 16 effective 12/23/2025

**16.36.10.8 APPRENTICE LICENSE APPLICATION FOR BODY PIERCING-SCARIFICATION:**

**A.** ~~[Application forms]~~ Electronic application:

(1) Application for any license to be issued or renewed by the board shall be made ~~[on the official form provided by the board for that purpose. Incomplete applications will be returned.]~~ online. Designated deadlines will apply to resubmitted applications. All applications are valid for one year from date received.

(2) Applications for apprentice licensure must include:

(a) non-refundable application fee;

(b) a completed ~~[and signed]~~ application;

(c) applicant name;

(d) ~~[must be at least 18 years of age;]~~ social security number

(e) ~~[current electronic mail address]~~ must be at least 18 years of age;

~~[(g)]~~ (f) ~~[current phone number;]~~ current email address

~~[(h)]~~ (g) ~~[name, and license number, address and phone number of licensed establishment where apprenticeship will be conducted. Establishment license must be current upon receipt of application.]~~ current phone number;

~~[(i)]~~ (h) ~~[an apprentice sponsorship application which must be completed and signed by a body art practitioner who meets the requirements within 16.36.10.9 NMAC and is licensed in the kind of body art the applicant is seeking an apprenticeship license;]~~ name, address, and license number of licensed establishment where apprenticeship will be conducted. Establishment license must be current upon receipt of application.

~~[(j)]~~ (i) ~~[copy of current CPR, first aid and blood borne pathogen training certificates, as defined within 16.36.10.13 NMAC; and]~~ an apprentice sponsorship application which must be completed and signed by a body art practitioner who meets the requirements within 16.36.10.9 NMAC and is licensed in the kind of body art the applicant is seeking an apprenticeship license;

~~[(k)]~~ (j) ~~[proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC;]~~ copy of current CPR, First Aid, and Bloodborne Pathogens training certification, as defined within 16.36.10.13 NMAC; and

(k) proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC.

**B.** ~~[Photographs]~~ Photograph: ~~[Applicants]~~ An applicant for original licensure shall ~~[attach]~~ upload a recent passport size, color photograph, front-view of face.

**C.** ~~[Prior to licensure the]~~ The applicant shall take and pass a board approved jurisprudence examination. The applicant must pass the jurisprudence exam with a minimum score of seventy-five percent or higher.

**D.** An apprentice must remain under the direct supervision at all times of ~~[his or her]~~ their sponsor until all requirements have been met or the apprentice license has been terminated by the board.

**E.** Renewal of a body art apprentice license:

(1) License will expire one year after date of issue;

(2) Timely renewal of license(s) is the full and complete responsibility of the Licensee.

Failure to renew the license by the expiration date will result in a late fee.

(3) Licensees shall renew a body piercing-scarification license on or before the expiration date if needed to complete their current apprenticeship.

(4) Renewal of apprentice license shall include the following information:

(a) name of apprentice sponsor;

(b) name of establishment and ~~[address where apprenticeship will be conducted]~~ license number where apprenticeship will be conducted, establishment license must be current upon receipt of application.

(c) copy of current CPR, ~~[first aid and blood borne pathogen training certificates]~~ First Aid and Bloodborne Pathogens certification, as defined within 16.36.10.13 NMAC; and

(d) proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC.  
[16.36.10.8 NMAC – N, 2/3/2022; A, 7/12/2022; A, 12/23/2025]

**16.36.10.9 SPONSOR LICENSE APPLICATION FOR BODY PIERCING-SCARIFICATION:**

A. A licensee may be approved to sponsor ~~[only one]~~ two body piercing-scarification ~~[apprentice]~~ apprentices at a time. ~~[Incomplete applications will be returned.]~~ A sponsor must be licensed in the areas they will be training. All applications are valid for one year from date received. A complete application includes:

- (1) non-refundable application fee;
- (2) a current New Mexico body piercing-scarification license;
- (3) documentation of legally practicing body piercing-scarification ~~[[in New Mexico]]~~ for [at least] a minimum of five years without any disciplinary action;
- (4) a curriculum must be submitted on the form provided by the board. An approved basic fundamental curriculum shall include the following ~~[requirements]~~ as required in 16.36.10.13; The curriculum shall include references and resources to be used and methods of evaluation for each area covered;
- (5) ~~[name, address and photo number of licensed establishment where apprenticeship will be conducted. Establishment license must be active upon receipt of application; and]~~ all curricula will be submitted to the application committee for consideration and approval.
- (6) ~~[proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC.]~~ name, address, and license number of licensed establishment where apprenticeship will be conducted. Establishment license must be active upon receipt of application; and
- (7) proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC.

B. ~~[Photographs]~~ Photograph: ~~[Applicants]~~ An applicant for sponsor licensure shall ~~[attach]~~ upload a recent passport size, color photograph, front-view of face.

C. Upon approval of application, a board approved log will be available to record progress during the apprenticeship. This log will serve as proof of completion of the training program.

D. Upon completion of the apprenticeship program, ~~[the sponsor and]~~ apprentice shall submit the apprentice log ~~[to the board administrator.]~~ when applying for initial licensure. The log shall ~~[be sent to the board administrator within 15 days and shall]~~ include a sworn statement made under penalty of perjury, from the sponsor and the apprentice stating the apprenticeship has been completed. The sponsor and apprentice will be responsible for maintaining and completing the apprentice log and [give] giving a copy of the log and statement to the apprentice.

E. ~~[Apprentice will then receive notification from the board stating the apprentice is eligible to take the national theory exam.]~~ The sponsor is responsible for assisting the apprentice(s) in the completion of the applications and examinations.

F. ~~[Renewal of body piercing and scarification sponsor license:]~~ The apprentice will then receive notification from the board stating the apprentice is eligible to take the national theory exam.

- ~~(1) License will expire one year after date of issue;~~
- ~~(2) Timely renewal of license(s) is the full and complete responsibility of the licensee. Failure to renew the license by the expiration date will result in a late fee.~~
- ~~(3) Licensees shall renew a body piercing and scarification apprentice sponsor license on or before the expiration date if needed to complete their current apprenticeship.~~
- ~~(4) Renewal of apprentice license shall include the following information:~~
  - ~~(a) name of apprentice; and~~
  - ~~(b) name of establishment and address where apprenticeship will be conducted, establishment license must be active upon receipt of application.~~
  - ~~(c) proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC.]~~

G. Renewal of body piercing-scarification sponsor license:

- (1) License will expire one year after date of issue;
- (2) Timely renewal of license(s) is the full and complete responsibility of the licensee. Failure to renew the license by the expiration date will result in a late fee;
- (3) Licensees shall renew a body piercing and scarification apprentice sponsor license on or before the expiration date if needed to complete their current apprenticeship;
- (4) Renewal of body piercing-scarification apprentice license shall include the following information:
  - (a) name of apprentice;
  - (b) name of establishment and license number where apprenticeship will be conducted, establishment license must be active upon receipt of application; and
  - (c) proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC.

H. In the event the apprentice is no longer continuing the apprenticeship under the sponsor;

(1) The sponsor must notify the board within 10 days possible via email. The license will change from active to withdrawn;

(2) The sponsor must turn in the log where the apprentice left off;

(3) The sponsor must return the apprentice license; and

(4) Apprentice must then re-apply;

[16.36.10.9 NMAC – N, 2/3/2022; A, 7/12/2022; A, 12/23/2025]

#### **16.36.10.10 APPLICATION FOR BODY PIERCING-SCARIFICATION PRACTITIONER LICENSE:**

**A.** ~~[Application forms]~~ Electronic application:

~~(1) Applications shall be [made on the official form provided by the board. Incomplete applications will be returned.]~~ submitted online. All applications are valid for one year from date received. All fees are non-refundable.

~~(2)~~ Applications for licensure must include:

~~(a)~~ a completed ~~[and signed]~~ application;

~~(b)~~ applicant name;

~~(c)~~ date of birth;

~~(d)~~ [proof of age indicating applicant is at least 18 years of age (government issued identification with a photo); social security number;

~~(e)~~ [establishment mailing address;] must be at least 18 years of age;

~~(f)~~ [current phone number;] current email address;

~~(g)~~ [name, address and phone number of licensed establishment where services will be performed. Establishment license must be current upon receipt of application;] current phone number;

~~(h)~~ [copy of current CPR, first aid and blood borne pathogen training certificates, as defined within 16.36.10.13 NMAC;] name, address, and license number of licensed establishment where apprenticeship will be conducted. Establishment license must be active upon receipt of application;

~~(i)~~ [proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC;] copy of current CPR, First Aid and Bloodborne Pathogens training certification, as defined within 16.36.10.13 NMAC;

~~(j)~~ [proof of completion of body piercing-scarification training program and examination as defined in 16.36.10.14 NMAC;] proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC;

~~(k)~~ [a recent passport size, color photograph; and] proof of completion of body piercing scarification training program and examination as defined in 16.36.10.14 NMAC;

~~(l)~~ [non-refundable application fee as required by the board.] Photograph: An applicant applying for original licensure shall upload a recent passport size, color photograph; and

~~(m)~~ non-refundable application fee as required by the board.

**B.** The applicant shall take and pass a written examination approved by the board and the board approved jurisprudence examination. The applicant must pass the exams with a minimum score of seventy-five percent or higher.

**C.** Renewal of a practitioner license:

~~(1)~~ License will expire one year after date of issue;

~~(2)~~ Timely renewal of license(s) is the full and complete responsibility of the licensee. Failure to renew the license by the expiration date will result in a late fee;

~~(3)~~ Licensees shall renew their license on or before the expiration date;

~~(4)~~ Renewal of license shall include the following information:

~~(a)~~ name and ~~[address]~~ license number of establishment. Establishment license must be current upon receipt of application;

~~(b)~~ name of establishment operator or supervisor;

~~(c)~~ copy of current CPR, ~~[first aid and blood borne pathogen training certificates]~~ First Aid and Bloodborne Pathogens training certification, as defined within 16.36.10.13 NMAC; and

~~(d)~~ proof of any disqualifying criminal convictions as defined in 16.36.4.9 NMAC.  
[16.36.10.10 NMAC – N, 2/3/2022; A, 7/12/2022; A, 12/23/2025]

**16.36.10.12 PROOF OF COMPLETION OF TRAINING PROGRAM:** Proof shall be provided with the original application that the applicant has, at a minimum, completed the following training prior to ~~[making~~

~~application]~~ applying for a license as a body piercing scarification practitioner, or body art operator. Such training must include:

A. ~~[a] A~~ board approved ~~[blood borne pathogens training course]~~ Bloodborne Pathogens training course that meets OSHA ~~[(occupational safety and health administration)]~~ (Occupational Safety and Health Administration) standards and CDC ~~[(center for disease control)]~~ (Centers for Disease Control and Prevention) recommendations. The training course shall include an examination as a condition of the training completion. The training must be completed within 12 months prior to application and annually thereafter. The training may be obtained through any of the following:

- (1) nationally accredited organization;
- (2) local government sponsored;
- (3) hospital sponsored;
- (4) college sponsored;
- (5) OSHA sponsored;
- (6) ~~[red cross; or]~~ Red Cross; or
- (7) board approved.

B. Current certification in first aid and cardiopulmonary resuscitation (CPR). The training shall be obtained through any of the following:

- (1) nationally accredited organization;
- (2) local government sponsored;
- (3) hospital sponsored;
- (4) college sponsored;
- (5) OSHA ~~[(occupational safety and health administration)]~~ sponsored;
- (6) ~~[red cross; or]~~ Red Cross; or
- (7) board approved

[16.36.10.12 NMAC – N, 2/3/2022; A, 7/12/2022; A, 12/23/2025]

#### **16.36.10.14 EXPIRED LICENSE:**

A. An applicant whose license has been expired for one year, but less than ~~[two]~~ five years shall ~~[submit an application]~~ renew online, payment of all renewal fees and late fees to bring the license current, proof of completion of ~~[blood borne pathogens]~~ Bloodborne Pathogens training within the prior 12 months, current CPR and ~~[first aid]~~ First Aid certification, and take and pass a board approved jurisprudence examination with a minimum score of seventy-five percent.

B. An applicant whose license has expired for more than ~~[two]~~ five years shall re-apply and take the body piercing-scarification written examination approved by the board with a passing minimum score approved by the board. ~~An [Applicant]~~ applicant must also take and pass a board approved jurisprudence examination with a minimum passing score of seventy-five percent.

C. An operator whose establishment license has expired for one year or more shall ~~[submit a reinstatement application, payment of reinstatement fee for each year the license has been expired; and name of licensed operator.]~~ re-apply.

~~[D. — A practitioner whose license has been expired more than five years shall re-enter an approved training program (apprenticeship) take the body piercing-scarification exam approved by the board with a passing minimum score approved by the board and take and pass a board approved jurisprudence examination with a minimum passing score of seventy-five percent.]~~

[16.36.10.14 NMAC – N, 2/3/2022; A, 12/23/2025]

**16.36.10.15 [CROSSOVER HOURS:** Individuals who are licensed in one discipline may transfer 100 hours of orientation toward their apprenticeship in another discipline, if they have at least one year of full-time, verified work experience in a licensed establishment and complete the remaining required hours for licensure.]

**[RESERVED]**

[16.36.10.15 NMAC – N, 2/3/2022; Repealed, 12/23/2025]

#### **16.36.10.16 [CREDIT GRANTED FOR SUBSTANTIALLY EQUIVALENT TRAINING AND EXPERIENCE:]**

~~[A. — An applicant for licensure as a body artist may be granted credit for training and experience obtained from any source, whether within or outside New Mexico. The applicants training and experience meets the~~

training and experience required under the applicable provisions of the Body Art Safe Practices Act and the regulations promulgated by the board pursuant to the Act.

~~B. An applicant licensed in another state or jurisdiction shall submit the follow requirements:~~

- ~~(1) completed and signed application;~~
- ~~(2) non-refundable application fee;~~
- ~~(3) copy of current CPR, first aid and blood borne pathogen training certificates, as defined within 16.36.10.12 NMAC;~~

~~(4) verifications of licensure mailed by the licensing authority from the other state or jurisdiction to the board which shall include:~~

- ~~(a) verification that the applicant holds a valid and unexpired license;~~
- ~~(b) the license issuance date;~~
- ~~(c) the license expiration date;~~
- ~~(d) a statement as to whether the applicant has ever been subject to discipline or if there are any complaints or investigations pending against the licensee; and~~
- ~~(e) upon the request of the board, a written consent from the applicant allowing the board or its designee to examine disciplinary, complaint, or investigative records of the other licensing authority;~~
- ~~(5) proof of any disqualifying criminal conviction as defined in 16.36.4.9 NMAC; and~~
- ~~(6) jurisprudence exam with a passing score of seventy five percent or higher.~~

~~C. An applicant seeking credit for training and experience obtained as a body artist in a state or jurisdiction outside New Mexico whose licensing requirements are less stringent than those in effect in New Mexico shall be required to meet the following requirements;~~

- ~~(1) completed application;~~
- ~~(2) non-refundable application fee;~~
- ~~(3) copy of current CPR, first aid and blood borne pathogen training certificates, as defined within 16.36.10.12 NMAC;~~

~~(4) proof of practice equivalent to the hours of training defined in 16.36.10.13 NMAC~~

- ~~(a) W 2 or 1099 forms; or~~
- ~~(b) federal or state tax returns verifying occupational status~~
- ~~(5) jurisprudence exam with a passing score of seventy five percent or higher.~~
- ~~(6) proof of any disqualifying criminal conviction as defined in 16.36.4.9 NMAC.~~

~~D. If the applicant training and experience does not meet the training and experience required under the applicable provisions of the Body Art Safe Practices Act and the regulations promulgated by the board pursuant to the Act, the board may request additional requirements outlined in 16.36.10.17 NMAC.] [RESERVED]~~

[16.36.10.16 NMAC - N, 2/3/2022; A, 7/12/2022; Repealed, 12/23/2025]