

This is an amendment to 16.36.8 NMAC, Sections 2, 7, 11, 12 & 14 effective 12/23/2025.

16.36.8.2 SCOPE: ~~[This]~~ The provisions of Part 8 of Chapter 36 apply to all applications for expedited licensure under the Body Art Safe Practice Act, Sections 61-17B-1 to -18 NMSA 1978, and the Board rules promulgated pursuant to the Act.

[16.36.8.2 NMAC – Rp, 16.36.8.2 NMAC 12/27/2022; A, 12/23/2025]

~~[16.36.2-7]~~ **16.36.8.7 DEFINITIONS:**

- A. “Eligible Licensing Jurisdiction”** means:
- (1) any state or territory of the United States and the District of Columbia, except those jurisdictions included in the list of disapproved licensing jurisdictions under section 16.36.8.8 of this part; and
 - (2) any foreign country included in the list of approved licensing jurisdictions under sections 16.6.8.9 of this part.
- B. “Expedited License”** means a provisional license that confers the same rights, privileges and responsibilities as a regular license issued by the board.
- C. “Good Standing”** means an occupational or professional license is active and not expired suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a license or registrant under the authority of the license.
- D. “License”** has the same meaning as defined in Subsection E of Section 61-1-2 NMSA 1978.
- E. “Jurisdiction”** has the same meaning as defined in Subsection F of Section 61-1-34 NMSA 1978.
- F. “Licensing fee”** has the same meaning as defined in Paragraph (2) of Subsection E of Section 61-1-34 NMSA 1978.
- G. “Military service member”** has the same meaning as defined in Paragraph (2) of Subsection E of Section 61-1-34 NMSA 1978.
- H. “Military orders”** means official military orders, including orders from separation or retirement, or any notification, certification, or verification from the service member’s commanding officer, with respect to the service member’s current or future military duty status.
- I. “Qualified applicant”** means a person who has applied for an occupational or professional license who:
- (1) holds a current license in good standing issued in an eligible licensing jurisdiction as defined in subsection A of this section, including a branch of the armed forces of the United States;
 - (2) does not have a disqualified criminal conviction listed in the Board’s rules as published in the New Mexico Administrative Code; and
 - (3) is not the subject of a pending disciplinary action in the State of New Mexico.
- J. “Regular License”** has the same meaning as defined in Subsection G of Section 61-1-2 NMSA 1978.
- K. “Veteran”** has the same meaning as defined in Paragraph (3) of Subsection E of Section 61-1-34 NMSA 1978.

[16.36.8.7 NMAC – Rp, 16.36.8.7 NMAC 12/27/2022; A, 12/23/2025]

16.36.8.11 EXPEDITED LICENSURE APPLICATION:

A. An applicant for expedited licensure under Section 61-1-31.1 NMSA 1978 shall submit the to the board a complete online application containing all the following:

- (1) completed ~~[and signed application form]~~ application;
- (2) proof of current licensure in an eligible jurisdiction;
- (3) certificate of good standing for the license held by the applicant in the eligible jurisdiction;
- (4) current ~~[bloodborne pathogens]~~ Bloodborne Pathogens certification;
- (5) current CPR/First Aid certification; and
- (6) payment of the required application fee.

B. An expedited license application shall not be deemed complete until the applicant has submitted, and the board is in receipt of all the materials required by subsection A, including documentation from third parties. All out-of-state applications shall be submitted to the application committee for consideration and approval.

C. Upon receipt of a complete application the board staff shall process the application and issue an expedited license to a qualified applicant within 30 days.

D. If the applicant has a disqualifying criminal conviction or the board may have other cause to deny the application pursuant to Sections 16.36.4.8 NMAC:

(1) the matter of the applicant's application shall be submitted to the board for consideration and action at ~~[it's]~~ its next available meeting;

(2) the license may not be issued within 30 days of submission of the complete application;

(3) the board may vote to grant the application or refer the matter to its administrative prosecutor for denial of the application as provided by the board's rules.

[16.36.8.11 NMAC – Rp, 16.36.8.11 NMAC 12/27/2022; A, 12/23/2025]

16.36.8.12 EXPEDITED LICENSURE APPLICATION FOR MILITARY SERVICE MEMBERS AND VETERANS.

A. An applicant for expedited licensure under Section 61-1-34 NMSA 1978 shall submit to the board a complete online application containing the following:

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

(2) proof of current licensure from another jurisdiction;

(3) certificate of good standing for the license held by the applicant in another jurisdiction.

Including a branch of the United States armed forces;

(4) current ~~[bloodborne pathogens]~~ Bloodborne Pathogens certification;

(5) current CPR/First Aid certification; and

(6) Submission of the following documentation:

(a) for a military service member, a copy of the service member's military orders;

(b) for a spouse of a military service member, a copy of the service member's military orders and a copy of the parties' marriage license;

(c) for a spouse of a deceased military service member, a copy of the decedent's DD Form 214 and a copy of marriage license;

(d) For dependent children of military service members: a copy of military service members orders listing dependent child, or a copy of military orders and one of the following: a copy of birth certificate, military service federal tax return or other governmental or judicial documentation establishing dependency;

(e) for veterans, retired or separated, proof of honorable discharge, a copy of DD Form 214, DD Form 215, DD Form 265, DD Form 257, NGB Form 22, military ID card, a state-issued driver's license or identification card with veteran's designation, a veteran ID card (VIC) issued by the U.S Department of Veteran's Affairs, or other documentation verifying the veteran's honorable discharge from military service.

B. An expedited license application shall not be deemed complete until the applicant has submitted and the board staff is in receipt of, including documentation from third parties, as required by subsection A of this section. All out-of-state applications shall be submitted to the application committee for consideration and approval.

C. Upon receipt of a complete application the board's staff shall process the application and issue an expedited license to a qualified applicant within 30 days.

D. If the applicant has a potentially disqualified criminal conviction or the board may have other cause to deny the application pursuant to Section 61.5A-21 NMSA 1978:

(1) the matter of the applicant's application shall be submitted to the board for consideration and action at ~~[it's]~~ its next available regular meeting;

(2) the license may not be issued within 30 days of submission of the complete application; and

(3) the board may vote to grant the application or refer the matter to its administrative prosecutor for denial of the application as provided by the board's rules.

E. A military service member or veteran who is issued an expedited license shall not be charged a licensing fee for the first three years of licensure with the board.

[16.36.8.12 NMAC – Rp, 16.36.8.12 NMAC 12/27/2022; A, 12/23/2025]

16.36.8.14 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 application;
(2) non-refundable application fee;
(3) copy of current CPR, First Aid and Bloodborne Pathogens training certification, as defined within 16.36.6.13 NMAC;

(4) verifications of licensure emailed 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
(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 Bloodborne Pathogens training certification, as defined within 16.36.9.12 NMAC;
(4) two years of proof of practice equivalent to the hours of training defined in 16.36.9.13 NMAC

(a) W-2 or 1099 forms; or
federal or state tax returns verifying occupational status of the two of the past five years.

(b) copy of the establishment license and letter from establishment owner stating years of experience with no discipline within those years.

(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 16.36.9.16 NMAC.

[16.36.8.14 NMAC – N, 12/23/2025]