

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 12 NURSING AND HEALTH CARE RELATED PROVIDERS
PART 16 REGISTERED NURSE (RN) LICENSURE

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

16.12.16.2 SCOPE: This rule applies to all nurses licensed in New Mexico and all 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.
[16.12.16.2 NMAC -N, 1/1/2026]

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

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

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

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

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

16.12.16.8 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) | Registered nurse (RN) | \$150. | |
| (2) | Licensure for military personnel, spouse, dependent, or veteran | | \$0. |
| (3) | Reserve registered nurse (RRN) | \$0. | |
| (4) | Retired Nurse License (RNL) | \$0. | |
- B. License renewal:**
- | | | | |
|-----|--|--------|------|
| (1) | Registered nurse (RN) | \$110. | |
| (2) | First renewal of license for military personnel, spouse, dependent, or veteran | | \$0. |
| (3) | Reserve Registered Nurse (RRN) | \$0. | |
| (4) | Retired Nurse License (RNL) | \$0. | |
- C.** Inactive license renewal (late renewal, lapsed status, reactivation, reinstatement after board action) includes renewal fee:
- | | | | |
|-----|--------------------------------|--------|--|
| (1) | Registered nurse (RN) | \$200. | |
| (2) | Reserve registered nurse (RRN) | \$0. | |
- D. Other Fees:**
- | | | | |
|-----|----------------------------|-------|--|
| (1) | Re-exam RN | \$60. | |
| (2) | Temporary license RN | \$60. | |
| (3) | license verification | \$30. | |
| (4) | Multistate/compact license | \$50. | |

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

16.12.16.9 LICENSURE REQUIREMENTS FOR REGISTERED 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 RNs by examination in New Mexico.

(1) Completion of a degree for pre-licensure nursing and eligible for graduation from a board approved course of study for the preparation of registered nurses or graduation from a program outside the United States which is equivalent to an approved program of nursing in the United States (U.S.):

(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 national council licensure examination for the registered nurse (NCLEX-RN) 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 approved English competency examination.

(3) RN 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. 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 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 RN graduates of U.S. schools may be issued for a period not to exceed six months from the receipt date of application; permits to practice may not be issued by the New Mexico board of nursing for employment at specific institution(s) in compact states; permits-to-practice will not be issued for applicants who declare residency in other compact states;

(b) RN graduates from non-U.S. nursing programs may be issued a permit-to-practice in New Mexico for a period not to exceed six months from the date of application when requirements are met according to Paragraph (3) of Subsection A of 16.12.16.9 NMAC;

(c) 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;

(d) 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 examination results are disseminated but 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 is eligible to write the registered nurse examination but elects to write the practical examination on the basis of practical nursing education equivalency and fails the practical examination shall not be granted graduate nurse status when the applicant applies to write the registered nurse examination.

(c) 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 registered nurses shall be required to pass the NCLEX-RN.

(2) 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 registered nurses and 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 of 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 of the materials required by Paragraph (1) of Subsection L of 16.12.16.9 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 on the basis of 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 on the basis of prior licensure in the following jurisdictions outside the United States: Canada.

M. Qualifications for licensure as an RN are pursuant to the Nursing Practice Act:

(1) 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.

(2) 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 the date application received by the board, the application becomes null and void.

P. In case of a medical emergency (as defined in these rules), nurses currently licensed to practice as a RN 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 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 license 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 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 renewing, 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. [16.12.16.9 NMAC - N, 1/1/2026]

16.12.16.10 RESERVE REGISTERED AND RETIRED NURSE:

A. The reserve registered nurse (RRN). The purpose of the reserve license registered nurse is to allow specific RNs 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 registered nurse with a license that is in good standing, and who does not wish to maintain an active registered nursing license may apply to be a reserve registered nurse.

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

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

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

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

(3) The RRN 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.

(4) If an RN chooses to change their license to an RRN for more than four years, in order the reactivate the RN license, the applicant must complete a refresher course and meet all licensure requirements for reactivation.

B. The retired nurse license (RNL). The purpose of the retired nurse license is to allow RNs no longer in practice to serve solely where their knowledge and experience will be of benefit.

(1) A registered nurse with a current and unencumbered license who is retired and no longer wishes to engage in direct patient care may apply.

(2) A retired nurse license (RNL) is an option at the time of retirement or upon pending licensure renewal when the nurse's status has changed to retirement.

(3) The retired nurse license(RNL) is an option in lieu of an inactive status.

(4) The retired nurse license (RNL) is valid solely for service not involving direct patient care such as service on boards, commissions, or task forces.

(5) The retired nurse license is not valid for direct patient care and does not require continuing education.

(6) The retired nurse license must be renewed every two years through completion of the application process.

(7) If the retired nurse license (RNL) lapses more than six months, the nurse must complete an application, a background check, and submit any information required for renewal. A fee for the background check and application may be applied.

(8) If an RN chooses to change their retired nurse license status after four or more years, in order to reactivate the RN license, the applicant must complete a refresher course and meet all licensure requirements for reactivation.

(9) The licensee is required to maintain all of the professional standards and requirements in upholding the nursing practice act. RNLs are subject to disciplinary actions for violations of the NPA.

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

16.12.16.11 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 their 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: 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.

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

16.12.16.12 STANDARDS OF REGISTERED NURSING PRACTICE:

A. The nurse shall maintain individual competence in nursing practice, recognizing, and accepting responsibility for individual actions and judgments.

(1) Competent registered nursing practice requires that the 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 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 nurse shall engage in CE specific to their particular area of practice.

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

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

B. The registered 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 registered nurse is accountable for assessing the situation and is responsible for the decision to delegate or make the assignment.

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

(4) Registered nurses engaged in school nursing practice may delegate medication administration, including emergency medication, to adults affiliated with school operations.

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

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

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

D. The 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 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 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 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 has earned a doctoral degree may use the title of doctor but must also simultaneously include their licensure category and education.

H. Standards for professional registered nursing practice. Registered nurses practice in accordance with the definition of professional registered nursing in the NPA. Subsection J of Section 61-3-3 NMSA 1978.

(1) RNs may assume specific functions and perform specific procedures which are beyond basic nursing preparation for professional registered nursing Subsection J of Section 61-3-3 NMSA 1978 provided the knowledge and skills required to perform the function and procedure emanates from a recognized body of knowledge and practice of nursing, and the function or procedure is not prohibited by any law or statute:

(a) emerging functions and procedures that do not emanate from a nursing body of knowledge will require national certification from a recognized body to denote mastery and assess competency as the RN is recognized as being certified;

(b) certificates of course completion are not evidence of mastery nor evidence of competency.

(2) When assuming specific functions and performing specific procedures, which are beyond the nurse's basic educational preparation, the RN is responsible for obtaining the appropriate knowledge, skills and supervision to assure they can perform the function/procedure safely and competently:

(a) administration of medication for the purposes of moderate sedation and analgesia requires particular attention;

(b) a nurse shall possess specialized nursing knowledge, judgment, skill and current clinical competence to manage the nursing care of the patient receiving moderate sedation including:

(i) being currently trained with demonstrated proficiency in age - appropriate advanced life support, including but not limited to; advanced cardiac life support (ACLS), pediatric advanced life support (PALS), neonatal resuscitation program (NRP);

(ii) knowledge of anatomy, physiology, pharmacology, cardiac arrhythmia recognition, oxygen delivery, respiratory physiology, transport and uptake and the use of an oxygen mask, bag-valve mask, oral airway, nasal airway adjunct, or the maintenance of a supraglottic airway, or endotracheal tube;

(iii) ability to recognize emergency situations and institute emergency procedures as appropriate to the patient condition and circumstance.

(3) To perform moderate sedation a registered nurse:

(a) shall not have other responsibilities during or after the procedure that would compromise the nurse's ability to adequately monitor the patient during moderate sedation/analgesia;

(b) shall assess the physical setting for safe administration of medications for sedation and proceed only if the resources needed for reasonable anticipated emergencies are available;

(c) shall ensure that a qualified airway specialist is immediately available during and after the procedure for respiratory emergencies. Immediately available meaning being present in the facility, in the vicinity of the care being administered, and not otherwise engaged in any other uninterruptible procedure or task.

(d) a qualified airway specialist is trained in and maintains a current competency in endotracheal intubation, such as but not limited to a CRNA, anesthesiologist, emergency physician, paramedic, respiratory therapist or a registered nurse;

(e) shall decline to administer medications classified as sedatives or other medication if the registered nurse assesses the administration of sedatives or other medication would be unsafe under the circumstances;

(f) shall maintain adequate oxygenation and ventilation via an appropriate method.

(4) Administration of anesthetics is restricted to an anesthesia provider; pursuant to Section 61-3-6 NMSA 1978. However, RNs may maintain anesthetic medication drips on intubated and mechanically ventilated patients. RNs with education and competency may also administer anesthetic medications under the supervision of a qualified airway specialist, acting as a "provider's third hand," and assist with airway management when the provider is unable to free their hands or otherwise administer anesthetics during airway management. This restriction does not apply to surface or air transport RNs providing emergency airway care while in direct communication with their medical director or while following approved medical protocols.

(5) An RN may administer ketamine at a very-low dose only in the following situations:

(a) for providing moderate sedation for diagnostic or therapeutic procedures;

- (b) for analgesia or management of psychiatric disorders, and
- (c) for palliative (end of life) care;
- (d) A very-low dose permitted under this rule, means a dose of ketamine that is a fraction of the anesthetic maintenance dose and will not exceed a moderate sedation level of consciousness for non-ventilated patients. Proper protocols, training and education of the RN must be in place to assure patient/client safety, rescue equipment is readily available, and the supervising provider is knowledgeable of the medications and can intervene if assistance is required.

(6) Educational program criteria: educational programs preparing RNs to perform specific functions and procedures that are beyond basic educational preparations should:

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

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

16.12.16.13 REGISTERED 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 RN practice.

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

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

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

16.12.16.14 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.

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

16.12.16.15 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.

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

History of 16.12.16 NMAC - [RESERVED]