

**TITLE 16  
CHAPTER 5  
PART 20**      **OCCUPATIONAL AND PROFESSIONAL LICENSING  
DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)  
DENTAL HYGIENISTS, LICENSURE BY CREDENTIALS**

**16.5.20.1 ISSUING AGENCY:** New Mexico Board of Dental Health Care.  
[16.5.20.1 NMAC - Rp, 16.5.20.1 NMAC, 5/31/2023]

**16.5.20.2 SCOPE:** The provisions of 16.5.20 NMAC apply to all applicants for licensure as a dental hygienist who are currently licensed in another state by examination.  
[16.5.20.2 NMAC - Rp, 16.5.20.2 NMAC, 5/31/2023]

**16.5.20.3 STATUTORY AUTHORITY:** 16.5.20 NMAC is promulgated pursuant to the Dental Health Care Act, Section 61-5A-13 NMSA 1978.  
[16.5.20.3 NMAC - Rp, 16.5.20.3 NMAC, 5/31/2023]

#### **16.5.20.4 DURATION:** Permanent. [16.5.20.4 NMAC - Rp, 16.5.20.4 NMAC, 5/31/2023]

**16.5.20.5 EFFECTIVE DATE:** May 31, 2023, unless a later date is cited at the end of a section.  
[16.5.20.5 NMAC - Rp, 16.5.20.5 NMAC, 5/31/2023]

**16.5.20.6                    OBJECTIVE:** To establish the requirements for applicants for dental hygiene licensure based on their licensure and practice in another state.  
[16.5.20.6 NMAC - Rp, 16.5.20.6 NMAC, 5/31/2023]

### **16.5.20.7 DEFINITIONS: [RESERVED]**

**16.5.20.8 PREREQUISITE REQUIREMENTS FOR LICENSE:** Each applicant for licensure as a dental hygienist by credentials must possess the following qualifications:

- A. graduated and received a diploma from an accredited dental hygiene program consisting of at least two academic years of dental hygiene curriculum as defined in Section 61-5A-13, NMSA 1978 of the act;
- B. completed 15 hours of continuing education during the past year; these hours must meet the qualifications as defined in 16.5.1.15 NMAC;
- C. passed the dental hygiene national board examination as defined in Subsection A of Section 61-5A-13., NMSA 1978;
- ~~D. passed the jurisprudence examination with a score of at least seventy-five percent;~~
- ~~E. holds a current active license in good standing obtained through a clinical examination in another state or territory of the United States;~~
- ~~F. the committee requires a background status report from a board designated professional background service; application for this service will be included with other application materials; the applicant will apply and pay fees directly to a board designated professional background service to initiate this service;~~
- ~~G. all licenses held by the applicant must have been in good standing for two years prior to application;~~
- ~~H. the committee may deny, stipulate, or otherwise limit a license if it is determined the applicant is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentists and Hygienists Act, or these rules.]~~
- D. passed clinical examination approved by the committee and ratified by the board;
- E. passed the jurisprudence examination with a score of at least seventy-five percent;
- F. holds a current active license in good standing obtained through a clinical examination in another state or territory of the United States;
- H. all licenses held by the applicant must have been in good standing for two years prior to application;

G. the committee requires a background status report from a board designated professional background service; application for this service will be included with other application materials; the applicant will apply and pay fees directly to a board designated professional background service to initiate this service.

[16.5.20.8 NMAC - Rp, 16.5.20.8 NMAC, 5/31/2023; A, XX/XX/2026]

**16.5.20.9 DOCUMENTATION REQUIREMENTS:** Each applicant for licensure by credentials must submit the required fees and following documentation:

- A. completed application, applications are valid for one year from the date of receipt;
- B. official transcripts or an original letter on letterhead with an embossed seal verifying successfully passing all required courses from the dental hygiene program, to be sent directly to the board office from the accredited program;
- C. copy of national board examination certificate or score card;
- D. proof of having taken a course in infection control technique within the past 12 months;
- E. proof of current basic life support (BLS) or cardiac pulmonary resuscitation (CPR) certification accepted by the American heart association, the American red cross, or the American safety and health institute (ASHI); cannot be a self study course;
- F. proof of 15 hours of continuing education during the 12 months prior to application;
- G. a status report must be received at the board office directly from a board designated professional background service; the results of the board designated professional background service background check must either indicate no negative findings or, if there are negative findings, those findings will be considered by the committee:
  - (1) the committee may deny, stipulate, or otherwise limit a license if it is determined the applicant is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentists and Hygienists Act, or the rules;
  - (2) supplemental information may be requested by the committee; and
- H. verification of licensure in all states where the applicant holds or has held a license to practice dental hygiene or a related profession; verification must be sent directly to the board office from the other state(s) board, must include an embossed seal, and must attest to the status, issue date, expiration date, license number, and other information contained on the form:
  - A. completed application, applications are valid for one year from the date of receipt;
  - B. official transcripts verifying successfully passing all required courses from the dental hygiene program, to be sent directly to the board office from the accredited program;
  - C. verification of licensure in all states where the applicant holds or has held a license to practice dental hygiene or a related profession; verification must be sent directly to the board office from the other state(s) board, must attest to the status, issue date, expiration date, license number, and other information contained on the form;
  - D. official national board examination certificate or score card;
  - E. official board-approved clinical examination score report from the accepted examining agent;
  - F. proof of having taken a course in infection control technique and sterilization procedures as defined in 16.5.1.16 NMAC within the past 12 months;
  - G. proof of completion of a course in ethics or jurisprudence that includes topics related to the New Mexico Dental Health Care Act and board rules;
  - H. proof of current basic life support (BLS) or cardiac pulmonary resuscitation (CPR) certification accepted by the American heart association, the American red cross, or the American safety and health institute/health and safety Institute (ASHI/HSI); cannot be a self-study course;
  - I. proof of 15 hours of continuing education during the 12 months prior to licensure in compliance with 16.5.1.15 NMAC and 16.5.10.9 NMAC of these rules;
  - J. official report from the national practitioner's data bank and the American association of dental examiners clearinghouse; and
  - K. a status report from a board designated professional background service must be received by the board office directly from a board designated professional background service; the results of the background check must either indicate no negative findings, or if there are negative findings, those findings will be considered by the committee.

[16.5.20.9 NMAC – Rp, 16.5.20.9 NMAC, 5/31/2023; A, XX/XX/2026]

**16.5.20.10 RE-EXAMINATION PROCEDURE:** An applicant who does not obtain a passing score on the jurisprudence examination must submit the re-examination fee as defined in Subsection D of 16.5.18 NMAC to re-take the exam.

[16.5.20.10 NMAC - Rp, 16 NMAC, 5/31/2023]

**16.5.20.11 LICENSURE PROCEDURE:** Upon receipt of a completed application, including all required documentation and fees, and successful completion of the jurisprudence examination, a designee of the committee will review the application and may approve for licensure. The recommendation of the committee will be given to the board to formally accept the approval of the application at the next scheduled meeting.

**A.** Initial dental hygiene licenses are issued for a period not to exceed three years as defined in 16.5.24 NMAC.

**B.** Any application which cannot be approved by the delegate of the committee will be reviewed by the entire committee at the next scheduled meeting.

[16.5.20.11 NMAC - Rp, 16.5.20.11, 5/31/2023]

#### **HISTORY OF 16.5.20 NMAC:**

##### **Pre-NMAC History:**

Material in this part was derived from that previously filed with the commission of public records - state records center and archives as:

Article VIII, Licensing of Dental Hygienists, filed 3/12/1981;

Article VIII, Licensing of Dental Hygienists, filed 1/12/1982;

Article, VIII, Licensing of Dental Hygienists, filed 3/30/1982;

BOD Rule 7, Licensing of Dental Hygienists, filed 2/9/1989;

BODHC Rule DH 2-95, Dental Hygienists, Requirements for Licensure by Credentials, filed 5/5/1995.

##### **History of Repealed Material:**

16.5.20 NMAC, Dental Hygienists, Licensure by Credentials filed 6/1/2000 Repealed effective 5/31/2023.

##### **Other History:**

16 NMAC 5.20, Dental Hygienists, Licensure by Credentials, filed 9/17/1996;

16 NMAC 5.20, Dental Hygienists, Licensure by Credentials, filed 9/17/1996 - renumbered, reformatted and amended to 16.5.20 NMAC, Dental Hygienists, Licensure by Credentials, effective 6/14/2001.

16.5.20 NMAC, Dental Hygienists, Licensure by Credentials filed 6/1/2000 Replaced by 16.5.20 NMAC, Dental Hygienists, Licensure by Credentials effective 5/31/2023.