Initial Licensure Examination Requirements	**American Board of Dental Examiners (ADEX, CDCA-WREB-CITA), CRDTS+SRTA.** Applicant must have passed a board approved clinical examination which includes hands-on periodontal and restorative procedures, the results of the clinical examination are valid in New Mexico for a period not to exceed five years. Source: New Mexico Administrative Code, 16.5.6.8
General Licensure Requirements	New Mexico Statutes, Chapter 61, Professional and Occupational Licenses Article 5A Dental Health Care **61-5A-12. Dentists; requirements for licensure; specialty license.** A. All applicants for licensure as a dentist shall have graduated and received a degree from a school of dentistry that is accredited by the commission on dental accreditation and shall have passed the written portion of the dental examination administered by the joint commission on national dental examinations of the American dental association or, if the test is not available, another written examination determined by the board. B. Applicants for a general license to practice dentistry by examination shall be required, in addition to the requirements set forth in Subsection A of this section, to pass a test covering the laws and rules for the practice of dentistry in New Mexico. Written examinations shall be supplemented by the board or its agents by administering to each applicant a practical or clinical examination that reasonably tests the applicant's qualifications to practice general dentistry. These examinations shall include examinations offered by the central regional dental testing service, northeast regional board of dental examiners, southern regional testing agency or western regional examining board or any other comparable practical clinical examination the board approves; provided, however, that the board may disapprove any examination after it considers compelling evidence to support disapproval. Upon an applicant passing the written and clinical examinations and payment in advance of the necessary fees, the board shall issue a license to practice dentistry. C. The board may issue a general license to practice dentistry, by credentials, without a practical or clinical examination to an applicant who is duly licensed by a clinical examination as a dentist under the laws of another state or territory of the United States; provided that license is active and that all dental licenses that individual possesses have been in good standing for five years prior to application. The credentials must show that no dental board actions have been taken during the five years prior to application; that no proceedings are pending in any states in which the applicant has had a license in the five years prior to application; and that a review of public records, the national practitioner data bank or other nationally recognized data resources that record actions against a dentist in the United States does not reveal any activities or unacquitted civil or criminal charges that could reasonably be construed to constitute evidence of danger to patients, including acts of moral turpitude. D. The board may issue a general license to practice dentistry by credentials to an applicant who meets the requirements, including payment of appropriate fees and the passing of an examination covering the laws and rules of the practice of dentistry in New Mexico, of the Dental Health Care Act and rules promulgated pursuant to that act, and who: (1) has maintained a uniform service practice in the United States military or public health service for three years immediately preceding the application; or (2) is duly licensed by examination as a dentist pursuant to the laws of another state or territory of the United States. E. The board may issue a specialty license by examination to an applicant who has passed a clinical and written examination given by the board or its

	examining agents that covers the applicant's specialty. The applicant shall have a postgraduate degree or certificate from an accredited dental college, school of dentistry of a university or other residency program that is accredited by the commission on dental accreditation in one of the specialty areas of dentistry recognized by the American dental association. The applicant shall also meet all other requirements as established by rules of the board, which shall include an examination covering the laws and rules of the practice of dentistry in New Mexico. A specialty license limits the licensee to practice only in that specialty area. F. The board may issue a specialty license, by credentials, without a practical or clinical examination to an applicant who is duly licensed by a clinical examination as a dentist under the laws of another state or territory of the United States and who has a postgraduate degree or certificate from an accredited dental college, school of dentistry of a university or other residency program that is accredited by the commission on dental accreditation in one of the specialty areas of dentistry recognized by the American dental association; provided that license is active and that all dental licenses that individual possesses have been in good standing for five years prior to application. The credentials must show that no dental board actions have been taken during the five years prior to application; that no proceedings are pending in any states in which the applicant has had a license in the five years prior to application; and that a review of public records, the national practitioner data bank or other nationally recognized data resources that record actions against a dentist in the United States does not reveal any activities or unacquitted civil or criminal charges that could reasonably be construed to constitute evidence of danger to patients, including acts of moral turpitude. The applicant shall also meet all other qualifications as deemed necessary by rules of the board, which shall include an examination covering the laws and rules of the practice of dentistry in New Mexico. A specialty license limits the licensee to practice only in that specialty area. New Mexico Administrative Code, Title 16, Chapter 5 Dentistry **16.5.6.8 PREREQUISITE REQUIREMENTS FOR GENERAL PRACTICE LICENSE:** Each applicant for a license to practice dentistry by examination must possess the following qualifications: **A.** graduated and received a diploma from an accredited dental school as defined in Subsection A of Section 61-5A-12 NMSA 1978; **B.** successfully completed the dental national board examination as defined in Subsection A of Section 61-5A-12 NMSA 1978; **C.** passed a board approved clinical examination which includes hands-on periodontal and restorative procedures, the results of the clinical examination are valid in New Mexico for a period not to exceed five years: **(1)** the applicant shall apply directly to a board accepted examining agent for examination; and **(2)** results of the clinical examination must be sent directly to the board office; and **D.** completed the jurisprudence exam with a score of at least seventy five percent; the applicant shall schedule the exam through the board office; **E.** the board requires a background status report from a board designated professional background service the applicant will apply and pay fees directly to a board designated professional background service to initiate this service. [16.5.6.8 NMAC - Rp, 16.5.6.8 NMAC, 5/31/2023] **16.5.6.10 DOCUMENTATION REQUIREMENTS:** Each applicant for a license by examination 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 school or college, to be sent directly to the board office from the accredited program; **C.** a copy of clinical examination score card or certificate from the appropriate specialty board; **D.** copy of national board examination certificate or score card; **E.** proof of having taken a course in infection control technique or graduation from dental school within the past 12 months; **F.** 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; **G.** the board will obtain verification of applicant status from the national practitioners data bank and the American association of dental examiners clearinghouse; and **H.** the appropriate 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 board; **I.** the board 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, these rules, or if it is determined that the applicant poses a threat to the welfare of the public; **J.** verification of licensure in all states where the applicant holds or has held a license in good standing to practice dentistry, or other health care profession; verification must be sent directly to the office from the other state(s) board, must include a seal, and must attest to the status, issue date, license number, and other information contained on the form; **K.** in addition to the documentation required above, an applicant for licensure in a specialty area must request official transcripts from the residency program or postgraduate training program to be sent directly to the board office from the accredited program. [16.5.6.10 NMAC - Rp, 16.5.6.10 NMAC, 5/31/2023] **16.5.6.11 RE-EXAMINATION PROCEDURE:** An applicant who does not obtain a passing score on the jurisprudence exam must submit the re-examination fee as set forth in Subsection D of 16.5.5.8 NMAC to re-take the exam. [16.5.6.11 NMAC - Rp, 16.5.6.11 NMAC, 5/31/2023] **16.5.6.12 LICENSURE PROCEDURE:** Upon receipt of a completed application, including all required documentation and fees, the secretary-treasurer or the delegate of the board will review and may approve the application. The board shall formally accept the approval of the application at the next scheduled meeting. **A.** Initial dental licenses are issued for a period not to exceed three years, as defined in Section 16.5.11.8 NMAC. **B.** Any application that cannot be approved by the delegate of the board will be reviewed by the entire board at the next scheduled meeting. [16.5.6.12 NMAC - Rp, 16.5.6.12 NMAC, 5/31/2023]
License by Credential/	New Mexico Statutes, Chapter 61, Professional and Occupational Licenses Article 5A Dental Health Care

Endorsement Requirements	**61-5A-12. Dentists; requirements for licensure; specialty license.**A. All applicants for licensure as a dentist shall have graduated and received a degree from a school of dentistry that is accredited by the commission on dental accreditation and shall have passed the written portion of the dental examination administered by the joint commission on national dental examinations of the American dental association or, if the test is not available, another written examination determined by the board. C. The board may issue a general license to practice dentistry, by credentials, without a practical or clinical examination to an applicant who is duly licensed by a clinical examination as a dentist under the laws of another state or territory of the United States; provided that license is active and that all dental licenses that individual possesses have been in good standing for five years prior to application. The credentials must show that no dental board actions have been taken during the five years prior to application; that no proceedings are pending in any states in which the applicant has had a license in the five years prior to application; and that a review of public records, the national practitioner data bank or other nationally recognized data resources that record actions against a dentist in the United States does not reveal any activities or unacquitted civil or criminal charges that could reasonably be construed to constitute evidence of danger to patients, including acts of moral turpitude. D. The board may issue a general license to practice dentistry by credentials to an applicant who meets the requirements, including payment of appropriate fees and the passing of an examination covering the laws and rules of the practice of dentistry in New Mexico, of the Dental Health Care Act and rules promulgated pursuant to that act, and who: (1) has maintained a uniform service practice in the United States military or public health service for three years immediately preceding the application; or (2) is duly licensed by examination as a dentist pursuant to the laws of another state or territory of the United States. F. The board may issue a specialty license, by credentials, without a practical or clinical examination to an applicant who is duly licensed by a clinical examination as a dentist under the laws of another state or territory of the United States and who has a postgraduate degree or certificate from an accredited dental college, school of dentistry of a university or other residency program that is accredited by the commission on dental accreditation in one of the specialty areas of dentistry recognized by the American dental association; provided that license is active and that all dental licenses that individual possesses have been in good standing for five years prior to application. The credentials must show that no dental board actions have been taken during the five years prior to application; that no proceedings are pending in any states in which the applicant has had a license in the five years prior to application; and that a review of public records, the national practitioner data bank or other nationally recognized data resources that record actions against a dentist in the United States does not reveal any activities or unacquitted civil or criminal charges that could reasonably be construed to constitute evidence of danger to patients, including acts of moral turpitude. The applicant shall also meet all other qualifications as deemed necessary by rules of the board, which shall include an examination covering the laws and rules of the practice of dentistry in New Mexico. A specialty license limits the licensee to practice only in that specialty area. **New Mexico Administrative Code, Title 16, Chapter 5 Dentistry** **16.5.8.8 PREREQUISITE REQUIREMENTS FOR LICENSURE IN GENERAL PRACTICE:** Each applicant for licensure as a general dentist by credentials must possess the following qualifications:

	16.5.8.7 DEFINITIONS: License in "good standing" is defined as having an active dental license in a jurisdiction for a period of at least three consecutive years immediately preceding the date of application, and a minimum of five years of dental licensure. The board shall consider stipulations, disciplinary or administrative actions taken against a licensee by the issuing agency, within the previous five years, when determining whether a license is in "good standing". [16.5.8.7 NMAC – Rp, 16.5.8.7 NMAC, 5/31/2023] **16.5.8.8 PREREQUISITE REQUIREMENTS FOR LICENSURE IN GENERAL PRACTICE:** Each applicant for licensure as a general dentist by credentials must possess the following qualifications: **A.** graduated and received a diploma from an accredited dental school as defined in Subsection A of Section 61-5A-12 NMSA 1978; **B.** completed 60 hours of approved continuing education during the past 36 months in compliance with 16.5.1.15 NMAC of these rules; **C.** passed the dental national board examination as defined in Subsection A of Section 61-5A-12 NMSA 1978; **D.** passed the jurisprudence exam with a score of at least seventy-five percent; **E.** holds a current active license in good standing by clinical examination in another state or territory of the United States, or has maintained a uniform service practice in the United States military or public health service for three years immediately preceding the application; **F.** passed a clinical examination approved by the board; **G.** the board may deny, stipulate, or otherwise limit a license if it is determined the applicant holds or has held a license in another jurisdiction that is not in good standing, if proceedings are pending against the applicant in another jurisdiction, or information is received indicating the applicant is of danger to patients or is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentists and Hygienists Act, or these rules; **H.** the board 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. **16.5.8.9 PREREQUISITE REQUIREMENTS FOR LICENSE IN SPECIALTY PRACTICE:** Any dentist who has taken a clinical examination accepted by the board and who has completed and passed a CODA accredited specialty program in one of the ADA recognized specialties may be issued a specialty license by the board. Each applicant for a license to practice a dental specialty by credentials must possess the following qualifications. Individuals licensed to practice a dental specialty shall be limited to practice only in that specialty area. **A.** Graduated and received a diploma from an accredited dental school as defined in Subsection A of Section 61-5A-12 NMSA 1978. **B.** Have a postgraduate degree or certificate from an accredited dental school or approved residency program as defined in Subsection E of Section 61-5A-12 NMSA 1978, in one of the specialty areas of dentistry recognized by the ADA. **C.** Completed 60 hours of continuing education during the past 36 months in compliance with 16.5.1.15 NMAC of these rules. **D.** Successfully completed the dental national board examination as defined in Subsection A of Section 61-5A-12 NMSA 1978.

The ADA attempts to keep this information current based on information from state dental boards, clinical testing agencies and state dental associations. Individuals seeking dental licensure should consult with the state board of dentistry and their professional advisors for the complete and most recent dental licensure information, application requirements, forms and fees.

	E. An applicant in any specialty defined in Subsection E of 16.5.8.9 NMAC for which there is no specialty examination may substitute diplomat status for the examination. **F.** Successfully completed an examination for diplomat status or a specialty licensure examination comparable to the specialty exam recognized by the New Mexico board of dental health care: **(1)** the examination must include the entry level clinical skills in one of the following specialties: endodontics, oral and maxillofacial surgery, orthodontics/dento-facial orthopedics, oral pathology, pediatric dentistry, periodontology, prosthodontics; or oral and maxillofacial radiology, other specialties approved by the American dental association; or **(2)** for licensure as a specialist in dental public health, the applicant must have successfully completed the examination for diplomat status given by the American board of public health dentistry. **G.** Completed the jurisprudence exam with a score of at least seventy-five percent. **H.** Hold a current active license in good standing by examination in another state or territory of the United States. **I.** The board may deny, stipulate, or otherwise limit a license if it is determined the applicant holds or has held a license in another jurisdiction that is not in good standing, if proceedings are pending against the applicant in another jurisdiction, or information is received indicating the applicant is of danger to patients or is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentists and Hygienists Act, or these rules. **J.** The board requires a level II 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. **16.5.8.10 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 school or college, to be sent directly to the board office from the accredited program; **C.** copy of national board examination certificate or scorecard; **D.** copy of clinical examination score card or certificate from the accepted examining agent; **E.** proof of having taken a course in infection control technique within the past twelve months; **F.** proof of current 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; **G.** the board will obtain verification of applicant status from the national practitioner's data bank and the American association of dental examiners clearinghouse; **H.** verification of licensure in all states where the applicant holds or has held a license to practice dentistry, or other health care profession; verification must be sent directly to the office from the other state(s) board, must

	include a seal, and must attest to the status, issue date, license number, and other information contained on the form; **I.** 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 board; **J.** the board 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 Dentist and Hygienist Act, these rules, or if t is determined that the applicant poses a threat to the welfare of the public; **K.** proof of 60 hours of continuing education during the 36 months prior to licensure in compliance with 16.5.1.15 NMAC of these rules; **L.** dentists employed in uniform service practice shall furnish: **(1)** a copy of the most recent commissioned officers effectiveness report, or equivalent, issued by the uniformed service dental service, and **(2)** a certified letter from the clinic commander attesting to past record and any actions taken on applicant's uniform service credentials; **M.** applicants for specialty by credentials in one of the following applicants for specialty license must submit: official transcripts from the residency program or postgraduate training program, sent directly to the board office from the accredited program; **N.** certificate of diplomat status from the specialty board, must be sent directly to the board office; and **O.** successfully completed an examination for diplomat status or a specialty licensure examination comparable to the specialty exam recognized by the New Mexico board of dental health care: **(1)** the examination must include the entry level clinical skills in one of the following specialties: endodontics, oral and maxillofacial surgery, orthodontics/dento-facial orthopedics, oral pathology, pediatric dentistry, periodontology, prosthodontics; or oral and maxillofacial radiology; or **(2)** for licensure as a specialist in dental public health, the applicant must have successfully completed the examination for diplomat status given by the American board of public health dentistry; **P.** supplemental information may be requested by the board. [16.5.8.10 NMAC - Rp, 16.5.8.10 NMAC, 5/31/2023] **16.5.8.11 RE-EXAMINATION PROCEDURE:** An applicant who does not obtain a passing score on the jurisprudence exam must submit the re-examination fee as defined in Subsection D of 16.5.5.8 NMAC to re-take the exam. [16.5.8.11 NMAC - Rp, 16.5.8.11 NMAC, 5/31/2023] **16.5.8.12 LICENSURE PROCEDURE:** Upon receipt of a completed application, including all documentation and fees, the secretary-treasurer or delegate of the board will review and may approve the application when the applicant holds a valid license obtained through clinical exam. The board shall formally accept the approval of the application at the next scheduled meeting. All applications for licensure by credentials based on uniform service practice will be taken to the board for review and final determination of eligibility for licensure at the next scheduled meeting.

The ADA attempts to keep this information current based on information from state dental boards, clinical testing agencies and state dental associations. Individuals seeking dental licensure should consult with the state board of dentistry and their professional advisors for the complete and most recent dental licensure information, application requirements, forms and fees.

	A. Initial dental licenses are issued for a period not to exceed three years as defined in 16.5.11.8 NMAC. **B.** Any application that cannot be approved by the delegate of the board will be reviewed by the entire board at the next scheduled meeting. [16.5.8.12 NMAC - Rp, 16.5.8.12 NMAC, 5/31/2023]
Specialty Practice	New Mexico Statutes, Chapter 61, Professional and Occupational Licenses Article 5A Dental Health Care **61-5A-12. Dentists; requirements for licensure; specialty license**. E. **The board may issue a specialty license by examination** to an applicant who has passed a clinical and written examination given by the board or its examining agents that covers the applicant's specialty. The applicant shall have a postgraduate degree or certificate from an accredited dental college, school of dentistry of a university or other residency program that is accredited by the commission on dental accreditation in one of the specialty areas of dentistry recognized by the American dental association. The applicant shall also meet all other requirements as established by rules of the board, which shall include an examination covering the laws and rules of the practice of dentistry in New Mexico. A specialty license limits the licensee to practice only in that specialty area. F. **The board may issue a specialty license, by credentials**, without a practical or clinical examination to an applicant who is duly licensed by a clinical examination as a dentist under the laws of another state or territory of the United States and who has a postgraduate degree or certificate from an accredited dental college, school of dentistry of a university or other residency program that is accredited by the commission on dental accreditation in one of the specialty areas of dentistry recognized by the American dental association; provided that license is active and that all dental licenses that individual possesses have been in good standing for five years prior to application. The credentials must show that no dental board actions have been taken during the five years prior to application; that no proceedings are pending in any states in which the applicant has had a license in the five years prior to application; and that a review of public records, the national practitioner data bank or other nationally recognized data resources that record actions against a dentist in the United States does not reveal any activities or unacquitted civil or criminal charges that could reasonably be construed to constitute evidence of danger to patients, including acts of moral turpitude. The applicant shall also meet all other qualifications as deemed necessary by rules of the board, which shall include an examination covering the laws and rules of the practice of dentistry in New Mexico. A specialty license limits the licensee to practice only in that specialty area. New Mexico Administrative Code, Title 16, Chapter 5 Dentistry **16.5.6.9 PREREQUISITE REQUIREMENTS FOR SPECIALTY LICENSE:** Each applicant for a license to practice a dental specialty by examination must possess the following qualifications. Individuals licensed to practice a dental specialty shall be limited to practice only in that specialty area: **A.** graduated and received a diploma from an accredited dental school as defined in Subsection A of Section 61-5A-12 NMSA; and **B.** a postgraduate degree or certificate from an accredited dental school or approved residency program as defined in Subsection E of Section 61-5A-12 NMSA 1978 in one of the following specialty areas: **(1)** dental public health, **(2)** endodontics, **(3)** oral and maxillofacial surgery,

	(4) orthodontics and dento-facial orthopedics, **(5)** oral pathology, **(6)** pediatric dentistry, **(7)** periodontology, **(8)** prosthodontics, or **(9)** other specialties approved by the American dental association; **C.** successfully completed the dental national board examination as defined in Subsection A of Section 61-5A-12 NMSA 1978; **D.** passed a specialty clinical examination approved by the board; the results of the exam are valid in New Mexico for a period not to exceed five years; examination results must be sent directly to the board office; **E.** an applicant in any specialty defined above for which there is no specialty clinical examination may substitute diplomat status for the examination; **F.** completed the jurisprudence exam with a score of at least seventy five percent; the applicant shall schedule the exam through the board office; and **G.** the board requires a level II 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. [16.5.6.9 NMAC - Rp, 16.5.6.9 NMAC, 5/31/2023] **16.5.8.9 PREREQUISITE REQUIREMENTS FOR LICENSE IN SPECIALTY PRACTICE:** Any dentist who has taken a clinical examination accepted by the board and who has completed and passed a CODA accredited specialty program in one of the ADA recognized specialties may be issued a specialty license by the board. Each applicant for a license to practice a dental specialty by credentials must possess the following qualifications. Individuals licensed to practice a dental specialty shall be limited to practice only in that specialty area. **A.** Graduated and received a diploma from an accredited dental school as defined in Subsection A of Section 61-5A-12 NMSA 1978. **B.** Have a postgraduate degree or certificate from an accredited dental school or approved residency program as defined in Subsection E of Section 61-5A-12 NMSA 1978, in one of the specialty areas of dentistry recognized by the ADA. **C.** Completed 60 hours of continuing education during the past 36 months in compliance with 16.5.1.15 NMAC of these rules. **D.** Successfully completed the dental national board examination as defined in Subsection A of Section 61-5A-12 NMSA 1978. **E.** An applicant in any specialty defined in Subsection E of 16.5.8.9 NMAC for which there is no specialty examination may substitute diplomat status for the examination. **F.** Successfully completed an examination for diplomat status or a specialty licensure examination comparable to the specialty exam recognized by the New Mexico board of dental health care: **(1)** the examination must include the entry level clinical skills in one of the following specialties: endodontics, oral and maxillofacial surgery, orthodontics/dento-facial orthopedics, oral pathology, pediatric dentistry, periodontology, prosthodontics; or oral and maxillofacial radiology, other specialties approved by the American dental association; or

The ADA attempts to keep this information current based on information from state dental boards, clinical testing agencies and state dental associations. Individuals seeking dental licensure should consult with the state board of dentistry and their professional advisors for the complete and most recent dental licensure information, application requirements, forms and fees.

	(2) for licensure as a specialist in dental public health, the applicant must have successfully completed the examination for diplomat status given by the American board of public health dentistry. **G.** Completed the jurisprudence exam with a score of at least seventy-five percent. **H.** Hold a current active license in good standing by examination in another state or territory of the United States. **I.** The board may deny, stipulate, or otherwise limit a license if it is determined the applicant holds or has held a license in another jurisdiction that is not in good standing, if proceedings are pending against the applicant in another jurisdiction, or information is received indicating the applicant is of danger to patients or is guilty of violating any of the provisions of the act, the Uniform Licensing Act, the Impaired Dentists and Hygienists Act, or these rules. **J.** The board requires a level II 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. [16.5.8.9 NMAC - Rp, 16.5.8.9 NMAC, 5/31/2023] **16.5.1.29 ADVERTISING, PROMOTIONS AND SPECIALTY RECOGNITIONS FOR ALL LICENSEES:** This rule applies to advertising in all types of media that is directed to the public. No dentist, dental hygienist, non-dentist owner, or their representatives shall advertise in any form of communication in a manner that is misleading, deceptive, or false. The licensee will be responsible for any third party making such false claims or misleading advertising on their (licensee's) behalf. **A.** Definitions: **(1)** for the purposes of this section, "advertising/advertisement" is: **(a)** any written or printed communication for the purpose of soliciting, describing, or promoting a dentist's , hygienist's, non-dentist owner's licensed activity, including, but not limited to, a brochure, letter, pamphlet, newspaper, directory listing, periodical, business card or other similar publication; **(b)** any radio, television, internet, computer network or similar airwave or electronic transmission which solicits or promotes the dental practice' **(c)** "advertising" or "advertisement" does not include any of the following; **(i)** any printing or writing on buildings, uniforms or badges, where the purpose of the writing is for identification; **(ii)** any printing or writing on memoranda or other communications used in the ordinary course of business where the sole purpose of the writing is other than the solicitation or promotion of the dental practice; **(iii)** any printing or writing on novelty objects or dental care products. **(2)** "bait advertising" is an alluring but insincere offer to sell a product or service which the advertiser in truth does not intend or want to sell. Its purpose is to switch consumers from buying the advertised merchandise or services, in order to sell something else, usually at a higher price or on a basis more advantageous to the advertiser. The primary aim of a bait

	advertisement is to obtain leads as to persons interested in buying merchandise or services of the type so advertised. See 16 U.S.C Section 238. **B.** General requirements: **(1)** at the time any type of advertisement is placed, the licensee must in good faith possess and provide to the board upon request information that would substantiate the truthfulness of any assertion, omission, or claim set forth in the advertisement; **(2)** the board recognizes that clinical judgment must be exercised by a dentist or dental hygienist. Therefore, a good faith diagnosis that the patient is not an appropriate candidate for the advertised dental or dental hygiene service or product is not a violation of this rule; **(3)** licensee shall be responsible for, and shall approve any advertisement made on behalf of the dental or dental hygiene practice, except for brand advertising, i.e. advertising that is limited to promotion of the name of the practice or dental corporation. The licensee shall maintain a record documenting their approval and shall maintain such record for a period of three years. **C.** The term false advertising means advertising, including labeling, which is misleading in any material respect; and in determining whether any advertising is misleading, there shall be taken into account among other things not only representations made by statement, word, design, sound or any combination thereof, but also the extent to which the advertising fails to reveal facts material in the light of such representations with respect to the commodity to which the advertising related under the conditions prescribed in said advertisement, or under such conditions as are customary or usual. See Section 57-15-2 NMSA 1978. Misleading, deceptive, or false advertising includes, but is not limited to the following, and if substantiated, is a violation and subject to disciplinary action by the board: **(1)** a known material misrepresentation of fact; **(2)** the omission of a fact necessary to make the statement considered as a whole not materially misleading; **(3)** advertising that is intended to be or is likely to create an unjustified expectation about the results the dentist or dental hygienist can achieve; **(4)** advertising that contains a material, objective representation, whether express or implied, that the advertised services are superior in quality to those of other dental or dental hygiene services if that representation is not subject to reasonable substantiation. For the purpose of this subsection, reasonable substantiation is defined as tests, analysis, research, studies, or other evidence based on the expertise of professionals in the relevant area that have been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results. Individual experiences are not a substitute for scientific research. Evidence about the individual experience of consumers may assist in the substantiation, but a determination as to whether reasonable substantiation exists is a question of fact on a case-by-case basis; **(5)** the false or misleading use of a claim regarding licensure, certification, registration, permitting, listing, education, professional memberships or an unearned degree; **(6)** advertising that uses patient testimonials unless the following conditions are met: **(a)** the patient's name , address, and telephone number as of the time the advertisement was made must be

	maintained by the dentist or dental hygienist and that identifying information shall be made available to the Board upon request by the board; **(b)** dentists or dental hygienists who advertise dental or dental hygiene services, which are the subject of the patient testimonial, must have actually provided these services to the patient making the testimonial; **(c)** if compensation, remuneration, a fee, or benefit of any kind has been provided to the person in exchange for consideration of the testimonial, such testimonial must include a statement that the patient has been compensated for such testimonial; **(d)** a specific release and consent for the testimonial shall be obtained from the patient; **(e)** any testimonial shall indicate that results may vary in individual cases; **(7)** advertising that makes an unsubstantiated medical claim or is outside the scope of dentistry, unless the dentist or dental hygienist holds a license, certification, or registration in another profession and the advertising and or claim is within the scope authorized by the license, certification, or registration in another profession; **(8)** advertising that makes unsubstantiated promises or claims, including but not limited to claims that the patient will be cured; **(9)** the use of bait advertising as outlined in federal trade commission guidelines; **(10)** advertising that includes an endorsement by a third party in which there is compensation, remuneration, fee paid, or benefit of any kind if it does not indicate that it is a paid endorsement; **(11)** advertising that infers or gives the appearance that such advertisement is a news item without using the phrase “paid advertisement”; **(12)** the promotion of a professional service which the licensee knows or should know is beyond the licensee’s ability to perform; **(13)** the use of any personal testimonial by the licensee attesting to a quality or competence of a service or treatment. **(14)** advertising that claims to provide services at a specific rate and fails to disclose that a dental benefit plan may provide payment for all or part of the services; **(15)** print advertising that contains all applicable conditions and restrictions of an offer that is not clearly legible or visible. The board will consider font size and positioning within the advertisement as to what is determined as false, misleading or deceptive; **(16)** audio advertising that contains all applicable conditions and restrictions that is broadcast at different speed and volume of the main recording and offer; **(17)** failure to include in all advertising media for the practice (excluding building signage and promotional items), in a reasonably visible and legible manner, the dentist’s or non-dentist owner’s name(s), address and contact information or direct reference where the name of the dentist(s) or non-dentist owner(s) can be found, including, but not limited to, an internet website; **(18)** failure to update website(s) wherein the names of the current dentist(s) are for each office location within 30 days of the change; **(19)** failure to practice dentistry under the name of a corporation, company, association, limited liability company, or trade name

	without full and outward disclosure of his/her full name, which shall be the name used in his/her license or renewal certificate as issued by the board, or his/her commonly used name; **(20)** failure to practice dentistry without displaying his/her full name as it appears on the license issued by the board on the entrance of each dental office; **(21)** advertising or making claims that a licensee or practice claims to be superior to any other licensee or practice, including, but not limited to, descriptions of being "the highest quality", a "super-dentist" or "super-general dentist/practitioner", "specially-trained hygienist", "hygienist specializing in non-surgical periodontics", or similar; **D. Specialty Practice and Advertising: the board may discipline a dentist for advertising or otherwise holding himself/herself out to the public as a practicing a dental specialty unless the dentist is licensed by the board to practice the specialty or unless the dentist has earned a post-graduate degree or certificate from an accredited dental college, school of dentistry of a university or other residency program that is accredited by the commission on dental accreditation (CODA) in one to the specialty areas of dentistry recognized by the American dental association. See Subsection E and F of Section 61-5A-12 NMSA 1978.** **E.** Acronyms: In addition to those acronyms required by law pertaining to one's business entity such as professional corporation (P.C.) or limited liability company (L.L.C.), dentists or dental hygienists may only use DDS, DMD, RDH, MD, PhD, MA, MS, BA, BS. Any credential that does not meet this requirement must be completely spelled out. [16.5.1.29 NMAC - Rp, 16.5.1.29 NMAC, 5/31/2023]
Continuing Education	**New Mexico Statutes, Chapter 61, Professional and Occupational Licenses Article 5A Dental Health Care** **61-5A-16. License and certificate renewals**. (Repealed effective July 1, 2024.) A. Except as provided in Subsection I of this section, all licensees shall be required to renew their licenses triennially as established by rules of the board. B. All dental assistants certified in expanded functions, expanded-function dental auxiliaries and community dental health coordinators shall be required to renew their certificates triennially as established by rules of the board. C. The board or committee may establish a method to provide for staggered triennial terms and may prorate triennial renewal fees and impaired dentist and dental hygienist fees until staggered triennial renewal is established. The fact that a licensee has not received a renewal form from the board or committee shall not relieve the licensee of the duty to renew the license or certificate nor shall such omission on the part of the board or committee operate to exempt the licensee from the penalties for failure to renew the licensee's license or certificate. D. All licensees shall pay a triennial renewal fee and an impaired dentist and dental hygienist fee, and all licensees shall return a completed renewal application form that includes proof of continuing education or continued competency. E. Each application for triennial renewal of license shall state the licensee's full name, business address, the date and number of the license and all other information requested by the board or committee. F. A licensee who fails to submit an application for triennial renewal on or before July 1 but who submits an application for triennial renewal within thirty days thereafter shall be assessed a late fee.

	G. A licensee who fails to submit application for triennial renewal between thirty and sixty days of the July 1 deadline may have the licensee's license or certificate suspended. If the licensee renews by that time, the licensee shall be assessed a cumulative late fee. H. The board or the committee may summarily revoke, for nonpayment of fees or failure to comply with continuing education or continued competency requirements, the license or certificate of a licensee or certificate holder who has failed to renew the license or certificate on or before August 31. I. A license for a non-dentist owner shall be renewed triennially as established by rules. An application for renewal of a non-dentist owner license shall state the name, business address, date and number of the license and all other information as required by rule of the board. If a non-dentist owner fails to submit the application for renewal of the license by July 1, the board may assess a late fee. If the non-dentist owner fails to submit the application for a renewal license within sixty days of the July 1 renewal deadline, the board may suspend the license. The license of a non-dentist owner may be summarily revoked by the board for nonpayment of fees. J. Assessment of fees pursuant to this section is not subject to the Uniform Licensing Act [61-1-1 to 61-1-31 NMSA 1978]. New Mexico Administrative Code, Title 16, Chapter 5 Dentistry **16.5.1.15 GUIDELINES FOR APPROVED CONTINUING EDUCATION:** : A. Continuing education is defined as dental related education that contributes to the existing knowledge base of a licensee or certificate holder, which would include but not limited to; treatment modalities, advances in science, patient health, safety, and management; practice and workplace management for the practice of dentistry, dental therapy, dental hygiene and dental assisting. B. Credit hours: (1) one hour of credit will be granted for every hour of contact instruction. (2) eight hours shall be the maximum number of continuing education credits granted in a single day. C. Approved providers and sponsors: The following providers are approved for delivering continuing education. (1) local, state, regional, national, or international dental, dental hygiene, dental assisting or medical related professional associations or organizations; and affiliate organization using their approved CE program designations. (2) institutions accredited by the United States department of education. (3) Federal and State Governmental agencies such as military dental division or the Veterans Administration. (4) hospitals and medical clinics. (5) board approved study clubs as further defined in Subsection H of 16.5.1.15 NMAC. D. Approved methods for acquiring continuing education: (1) attendance at scientific meetings or sessions. (2) live virtual webinars. (i.e., courses conducted live, in real-time with the ability to interact with the speaker. (3) Self-study. A method of instruction that is self-paced such as those offered through magazines, articles, pre-recorded audio or video recordings which are viewed or listened to at a later date.

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	(a) a post instruction examination must be successfully completed for all self-study methods. (b) a licensee is allowed a maximum of 30 hours in the category of self-study per triennial renewal period. (4) Medical education courses that are accredited by the American council for continuing medical education (ACCME) shall be limited to eight hours per triennial period. (5) Courses not sponsored by a recognized provider as indicated in Subsection C of 16.5.1.15 NMAC may be approved for credit by the secretary-treasurer or delegate of the board; the application for approval must include the course outline, date, location, hours, names and qualifications of presenters. E. Basic life support (BLS) or cardiopulmonary resuscitation (CPR). A licensee is eligible to receive hour for hour credit for course taken to acquire this certification. (1) Certification must be acquired through a live hands-on course or through a hybrid method where demonstration of skills is still required. Certification acquired through a self-study only course, is not allowed. (2) A dentist must complete three (3) hours related to pain management and controlled substances. F. Additional approved activities eligible for continuing education credit: (1) presenting. An original presentation by a licensee is eligible to receive hour for hour credit for preparation and delivery of such presentation. A licensee shall be allowed a maximum of eight hours each triennial period. The licensee shall retain as proof of such presentation an outline, date, place and sponsor of the presentation. (2) clinical examiners for regional boards. A licensee participating in the training and calibration sessions of a regional board examination shall be allowed a maximum of 24 hours each triennial period. (3) volunteer for the board or committee. A non-board or non-committee licensee volunteering for the board of committee may receive up to 10 hours of continuing education for board approved activities; including serving as a hearing officer, investigator, mentor, or monitor. (4) approved charitable events. A licensee participating in a board or dental hygiene committee approved charitable event shall be allowed a maximum of eight hours each triennial period. (5) graduate or post-graduate. Courses taken by a licensee at institutions of higher education for the purpose of receiving a dental related degree, advanced degree or certificate are eligible for continuing education credit. A licensee shall be allowed 10 hours per semester credit hour, as assigned in the course catalogue of the educational institution. (6) professional training programs. Such as those taken for acquiring expanded certifications or education. Examples include but not limited to, trainings for local anesthesia and expanded function dental auxiliary certification. When given by an approved provider as defined in Subsection C of 16.5.1.15 NMAC. (7) academic Teaching. A licensee who instructs as a full, part, or adjunct faculty, at a dental related program is allowed a maximum of 5 continuing education hours per semester credit hour that is taught at an institution of higher education. Not to exceed a maximum of 10 credit hours per triannual renewal.

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	(8) jurisprudence exam. A licensee or certificate holder may take the board's open book jurisprudence examination, up to once a year, and be granted three hours of continuing education credit for successfully passing the exam with a score of seventy-five percent or above. There will be a twenty-five dollar ($25) administrative fee for the exam to cover the cost of handling. G. Course limitations and courses not allowed. (1) Courses that are primarily in relationship to maximizing income, billing, or marketing in the dental or dental hygiene practice shall be limited to eight hours per triennial period. (2) Courses dealing largely with money management, personal finances or personal business matters, and courses in basic educational or cultural subjects that are not taught in direct relationship to dental care may not be used to fulfill continuing education requirements. (3) CE received as part of declaratory decree or as a result of disciplinary order shall not count toward the total triennial continuing education hours needed by the licensee. or certificate holder. H. Approved study clubs. The board may approve study clubs which meet the following criteria: (1) Composed of not less than five licensees with elected officers, written bylaws, and regular meetings. (2) Organized for the purpose of scientific study. (3) The approved club must keep records of continuing education information or material presented the number of hours and the members in attendance; audio-visual recordings or similar media produced or distributed by approved providers may be used; guest speakers may also be used to present educational material. I. Verification of course attendance. The following documents, or combination of documents, may be used to verify attendance in the required continuing education: (1) course certificate with the course title, content, presenter, sponsor and hours; (2) pamphlet of course with same information as requested on certificate along with proof of purchase; (3) course attendance sheet submitted from the sponsor; (4) course code or statement of attendance from presenter or sponsor of licensee attendance; (5) for out of state courses and meetings when certificates or sign-in sheets are not available, the licensee may provide a copy of the registration form, with a copy of courses in printed form which were offered, identify the ones attended, along with information regarding travel and lodging accommodations for the meeting; (6) licensee is responsible for maintaining records of all CEUs for one year following the renewal cycle. 16.5.1.16 CONTROL AND PREVENTION OF BLOODBORNE INFECTIONS: The following rules are enacted to prevent transmission of the human immunodeficiency virus (HIV), hepatitis B infectious state (i.e. acute infection and chronic carriers only) (HBV), the hepatitis C virus (HCV), and other blood borne infections. A. Requirements for providers. Any provider licensed or certified by the New Mexico board of dental health care must comply with the guidelines established in this rule. A provider who fails to use appropriate

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	infection control techniques and sterilization procedures to protect patients may be subject to disciplinary action by the board. B. Infection control as a standard of care. In offices and facilities providing dental services, compliance with the following policies and procedures are required to further reduce the low risk of infection: (1) implementation of policies and procedures to minimize occupational exposure to potentially infectious materials (e.g. blood); guidelines or recommendations of the American dental association, American dental hygienists' association, center for disease control, and the occupational safety and health administration must be followed; (2) strict adherence to infection control practices and universal barrier precautions are mandatory in all dental care settings and shall include sterilization of instruments and hand pieces, after each use, by any acceptable sterilization technique as currently recognized by the center for disease control; and (3) policies and procedures must be implemented to report and manage patient and provider exposure to blood; affected individuals must be notified when exposure may constitute a significant risk of transmission of blood borne infection; the notification must include the nature of possible infection, but need not include the identity of the provider should the provider be the known source of infection. C. Infection control training. All providers shall have formal training in infection control techniques. Training is a requirement for licensure, as well as for renewal of all licenses and certificates. The course must be approved in accordance with 16.5.1.15 NMAC or sponsored by the occupational safety and health administration. D. Evaluation of provider with blood borne infection. (1) Counseling and testing recommended. The board and committee strongly recommend counseling and testing of any provider for HIV, HBV, HCV and other blood borne infections. (2) Evaluation of individual cases. Providers who have transmissible blood borne infections and who perform invasive procedures which might cause increased risk of transmission are strongly urged to submit to a voluntary evaluation process established by the New Mexico department of health. Individual evaluations conducted under the auspices of the New Mexico department of health will be strictly confidential unless that agency recommends practice restrictions. The New Mexico department of health will notify the board and committee of recommended practice restrictions. Any violation of practice restrictions will be considered grounds for disciplinary action by the board and committee. (3) Impairment evaluation. If a dental health care provider licensed or certified by the board has a functional impairment due to blood borne infection or other medical impairment, they must contact the impaired committee of the board. E. Confidentiality for dental health care workers. (1) The board and committee recognize providers are not required to disclose blood borne infections to patients or employers unless they cannot perform the essential duties of their job or practice, or unless the provider poses a danger to patient safety. (2) Any retrospective studies of New Mexico providers shall be carried out under the guidance and direction of the New Mexico department of health. [16.5.1.16 NMAC - Rp, 16.5.1.16 NMAC, 5/31/2023

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