New Mexico Administrative Code Amendments/Changes/Additions
April 2017

(A)=Amended
(E)=Emergency
(N)=New
(R)=Repealed
(Rn)=Renumbered

All amendments, changes, additions, and deletions may be viewed by visiting the NM Register at http://www.nmcpr.state.nm.us/nmregister
Select the date shown before the rule then select that edition.

Statutes (laws) that have been changed must be viewed online through links available on the Board's website: www.rld.state.nm.us/boards/pharmacy.aspx

A brief summary of some of the changes to State Pharmacy Laws may be found on the Board's web site.

April 20 & 21, 2017

16.19.6 NMAC A Pharmacies PDF Version
Wording added to require Non-Resident Sterile Compounding Pharmacies, initially registering within New Mexico, to show compliance with USP within the past 12 months.

16.19.26 NMAC N Pharmacist Prescriptive Authority PDF Version
Addition of Hormonal Contraception Drug Therapy to Pharmacist Prescriptive Authority.

16.19.33 NMAC A Tele-Pharmacy and Remote Dispensing PDF Version
Expansion, revision, clarification of the NMBOP Tele-Pharmacy Regulation. The remote tele-pharmacy must be greater than 20 miles from an existing retail pharmacy.

January 30 & 31, 2017

16.19.2 NMAC – A Examinations pdf version
A candidate taking the North American Pharmacist Licensure Examination® (NAPLEX®) may attempt the exam no more than five consecutive times without passing. Also, the candidate must wait at least 45 days before retaking the examination. For reinstatement of the pharmacist license, the Board may require an applicant to make a passing score on any combination of either the NAPLEX, MPJE, or the Pharmacist Assessment for Remediation Evaluation®.

16.19.20 NMAC A Controlled Substances pdf version
Many identified substances showing abuse potential have been added as Schedule I CS. Eluxadoline, a product recently added to the market, was added as a Schedule IV CS to match federal regulations. Also revised in the Controlled Substances Regulation is an allowance that a prescription for a CS in Schedule II may be partially filled if the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed. Remaining portions shall be filled no later than 30 days after the date on which the prescription is written.

October 20, 2016

16.19.29 NMAC A Controlled Substance Prescription Monitoring Program PDF version
A practitioner or pharmacist may select a delegate to obtain PMP data for review by the practitioner or pharmacist. A pharmacist's delegate must be a certified pharmacy technician or registered intern. Delegates may obtain PMP information for patients who are receiving a controlled substance or for the purpose of a Pharmacist providing pharmaceutical care as defined in law. One to four delegates may be selected, and the practitioner or pharmacist is responsible for notifying the PMP within 10 days of a delegate's authorization ending. Identification of which

licensed healthcare professionals may report and request PMP reports.

August 25, 2016

16.19.3 NMAC A Reciprocity PDF Version

Change in regulation language including changes to applicant eligibility, licensure reinstatement of reciprocity license eligibility, and MPJE examination regulations.

16.19.4 NMAC A Pharmacist PDF Version

Language underneath PMP changed from opiate to opioid. PMP report required for the following, opioid prescription for unfamiliar patient residing outside of population area, initial prescription for long-acting opioid formulation, patient receiving opioid concurrently with a benzodiazepine or carisoprodol, PMP review documentation, PMP reports reviewed once every three months for established patients with continuous opioid use. Amendment to Pharmacist Clinicians exercising prescriptive authority of controlled substances and PMP reports.

16.19.20 NMAC A Controlled Substances PDF Version

Controlled Substance annual inventory records shall be performed before or after pharmacy business hours, initiated within 72 hours if a new pharmacist in charge, and an annual inventory will be performed upon transfer of ownership. Verbal opiate prescriptions for class III-IV shall not exceed a 10 day supply unless patient was receiving the same medication within a six month period. Changes to identity verification documentation and prescriptions for Controlled Substance III-IV may not be refilled more than 6 months after the date of issue.

June 27, 2016

16.19.20 NMAC A Controlled Substances PDF Version

Addition of omitted and recently discovered synthetic controlled substances.

April 21, 2016

16.19.2 NMAC A Examinations PDF Version

Limit the total number of times the NAPLEX or MPJE can be taken after failing and within a designated period of time.

16.19.4 NMAC A Support Personnel PDF Version

Correct a citation in rule 16.19.22 NMAC regarding sterile compounding.

16.19.8 NMAC A Wholesale Distributors Regulation PDF Version

Prohibit grey market drug actions,

January 25, 2016

16.19.4.9 NMAC A Pharmacist pdf version

Correction of the NMAC document to be referenced.

16.19.12 NMAC A Fees pdf version

Removal of the alternative reduced licensure fee.

16.19.29 NMAC A Controlled Substance Prescription Monitoring Program pdf version

Changes to the information required to be submitted for PMP reporting.

October 22, 2015

16.19.37 NMAC N Minimum Standards for Outsourcing Facilities pdf version

New chapter allowing for the licensure of Outsourcing facilities in New Mexico

16.19.5.8 NMAC A Internship Training Program pdf version

Correction made to the amount of semester hours required (30) before an intern may apply

16.19.11.8 NMAC A Nursing Home Drug Control pdf version

Allows for an emergency drug tray with controlled substances if there is 24 hour 365 day nursing staff present at the location and administering the medication

16.19.12.13 NMAC A Fees pdf version
Fee updates

August 20, 2015
16.19.30 NMAC A Compounding of Non-Sterile Pharmaceuticals pdf version
Amended definitions, and beyond use dating to align with USP <795>

16.19.4.11 NMAC A Pharmacist pdf version
Amended regulations regarding consultant pharmacist responsibilities for Class D clinics, and custodial facilities

16.19.10.11 NMAC A Limited Drug Clinics pdf version
Amended regulations regarding Class D, school based clinics

16.19.6.29 NMAC N Pharmacies pdf version
New regulation allowing for remote technician data entry sites

16.19.20 NMAC A Controlled Substances pdf version
Multiple additions under the list of scheduled medications

June 24, 2015
16.19.6.27 A Pharmacies pdf version
New regulations allowing for the use of automated drug distribution systems in licensed health care facilities

16.19.26 NMAC A Pharmacists Prescriptive Authority pdf version
Changes made requiring live basic life support and CPR training, removal of required live CE for birth control and smoking cessation, and required training from the NM department of health for TB tests

16.19.29.8 NMAC A Controlled Substances (coming soon)
Changes made to mandatory reporting information required to be sent to the PMP

April 16, 2015
16.19.6 NMAC A Pharmacies pdf version
Updated regulation regarding retail pharmacies

16.19.6.28 NMAC N Automated Filling Systems pdf version
Added new section to regulate automated filling systems, which details prepacking requirements

January 22, 2015
16.19.5 NMAC A Intern Training Period pdf version
Definition of “Training period” updated to increase the amount of successfully completed semester hours from 15 to 30 before the required 1500 hours of structured internship experience can occur.

16.19.6.23 NMAC N Prescription Transfer pdf version
A pharmacy may not refuse to transfer original prescription information to another pharmacy acting in behalf of a patient. The transfer must be completed in a timely manner.

16.19.12.9,12 NMAC A Intern Fee pdf version
Intern registration fee reduced from $30 to $25 per year.

16.19.29 NMAC A Controlled Substances Prescription Monitoring Program pdf version
Added definitions of “Dispenser,” “Person,” “PMP director,” “PMP report,” “Practioner,” and “State.” Revision of this rule included changes to the required reporting and disclosure of data to

the PMP, registration for access to PMP, and conditions required for applying and retaining access to PMP. Added requirements related to correcting information submitted to PMP.

16.19.36 NMAC Rn Compounded Sterile Preparations pdf version
Objective updated to specify preparations should be compounded in accordance with USP/NF General Chapters below 1000. Definition of "Batch" added. Addition of new regulation that requires documentation records be kept for a minimum of three years. Update to training requirements to allow for more site-specific control.

October 15, 2014
16.19.10.11 NMAC A Limited Drug Clinics pdf version
Addition of Class D clinic drug permit for school health offices (which does not include a Class A, B, or C school based health clinic) where emergency dangerous drugs are maintained for administration to students of the school. For Class D clinic drug permits the approved drugs are albuterol inhaler and epinephrine auto-injector. A clinic may petition the board for an alternative dispensing formulary as set forth in Subsection R of 16.19.10.11 NMAC.

16.19.11.8 NMAC A Nursing Home Drug Control pdf version Updated approved list of stock dangerous drugs to include vaccines as recommended by the centers for disease control (CDC) and prevention's advisory committee on immunization practices and appropriate for the facility population served.

16.19.12.8,14,15 NMAC A Fees pdf version
Correction of spelling of "biennially". Stipulation added that fees paid in advance shall not be refundable.

16.19.20.8 NMAC A Controlled Substances pdf version Veterinarians excluded from requirement to register with the New Mexico prescription monitoring program in conjunction with their controlled substance registration.

16.19.29.7 NMAC A Controlled Substance Prescription Monitoring Program pdf version
Definition of "patient" updated to mean the ultimate user of a drug for whom a prescription is issued and for whom a drug is dispensed.

Definition of "dispenser" updated to include veterinarians or veterinary clinics dispensing to non-human patients.

16.19.4.11 NMAC A Pharmacists – Pharmacist pdf version
Consultant pharmacist for a clinic facility updated to include Class D clinic requirements.

August 29, 2014
16.19.4 NMAC A Pharmacists – Pharmacist pdf version
Addition of expedited pharmacist licensure by reciprocity for military and spouses licensed in another jurisdiction.

16.19.20 NMAC A Controlled Substances pdf version
Addition of alfaxalone to schedule IV depressants.

16.19.36 NMAC A Compounded Sterile Preparations pdf version
Addition of new section 15, which establishes quality assurance of compounded sterile preparations.

June 13, 2014
16.19.36 NMAC N Compounded Sterile Preparations pdf version
Establishes standards to ensure that the citizens of New Mexico receive properly compounded

contaminant-free sterile preparation.

16.19.6 NMAC A Pharmacies pdf version

Section 11 amended to read: The pharmacy shall have the necessary equipment for the safe and appropriate storage, compounding, packaging, labeling, dispensing and preparations of drugs and parenteral products appropriate to the scope of pharmaceutical services provided. The following items shall be in the pharmacy; an updated reference source, appropriate to each practice site, either electronic or paper version; and one copy of the most recently published New Mexico pharmacy laws, rules and regulations and available revisions, either electronic or paper version.

16.19.20 NMAC A Controlled Substances pdf version

Addition of three compounds to hallucinogenic substances section. Dronabinol moved from schedule II to schedule III. Perampanel added to schedule III depressants.

February 28, 2014
16.19.26 NMAC A Pharmacist Prescriptive Authority pdf version

Addition of new section 16.19.26.13 naloxone for opioid overdose protocol, education and training, authorized drugs, records, and notification.

December 13, 2013
16.19.5.7,8 NMAC A Internship Training Program pdf version

An applicant for registration as a pharmacist intern shall have satisfactorily complete not less than [~~30~~] **15** semester hours in a college of pharmacy curriculum. Structured internship experience changed from a combination of internship hours and employment to a minimum of 1500 internship hours only.

16.19.20 NMAC A Controlled Substances pdf version

Three synthetic cannabinoids added to New Mexico's Schedule 1 Controlled Substances

16.19.30 NMAC A Compounding of Non-Sterile Pharmaceuticals pdf version

"Prescriptions" changed to "products" where appropriate.

July 31, 2013
16.19.4.10,17 NMAC A Pharmacist pdf version

Continuing pharmacy education approved in New Mexico shall be limited to programs and activities offered by [~~an ACPE~~] **the accreditation council for pharmacy education (ACPE)**, approved provider [~~or~~], **programs or courses approved by other state boards of pharmacy and** pharmacy law programs offered by the [~~N.M.~~] **New Mexico** board of pharmacy.

Pharmacist clinician updated to reflect that pharmacist clinicians shall not write a recommendation for the use of medical cannabis.

16.19.5.1,8 NMAC A Internship Training Program pdf version

Intern registration annual renewal fee increased from $10.00 to $25.00.

16.19.10.1,11 NMAC A Limited Drug Clinics pdf version

Added under clinic licensure that clinics dispensing only one class of dangerous drug or controlled substance, such as oral contraceptives or methadone, may be approve by the board as a Class B3 clinic.

Changed permissible ratio of pharmacy technicians to pharmacists on duty from 4:1 to be determined by the pharmacist in charge or consultant pharmacist.

16.19.20 NMAC A Controlled Substances pdf version

16.19.20.53.B Additions to exempt pseudoephedrine product:
(5) Pharmacies shall submit the information collected pursuant to Paragraph (2) of Subsection B of 16.19.20.53 NMAC electronically, in a board defined format, to the board or its agents. Pharmacies will submit data every seven (7) days beginning September 15, 2013. Pharmacies may petition the executive director of the board for an alternative method for the submission of the information collected pursuant to this section.
(6) AUTHORITY TO CONTRACT: The board is authorized to contract with another agency of this state or with a private vendor, as necessary, for the collection of the information collected pursuant to Paragraph (2) of Subsection B of 16.19.20.53 NMAC. Any contract shall be bound to comply with the provisions regarding confidentiality of prescription or personal information in 16.19.20.53 NMAC of this regulation and shall be subject to the penalties specified in 16.19.20 NMAC and 16.19.27 NMAC.

June 14, 2013
16.19.4.17 NMAC A Pharmacist pdf version

Added to prescriptive authority, guidelines, or protocol that pharmacist clinicians shall not prescribe dangerous drugs including controlled substances for self-treatment or treatment of immediate family members, except under emergency situations. This will not apply to pharmacist administered vaccinations

16.19.22.7,10,14 NMAC A Support Personnel and Pharmacy Technicians pdf version

"Stocking" means ~~[placement of the prescription drug container on the shelf]~~ placing prescription drugs on pharmacy shelf, in bin or dispensing technology system.

Ratio of technicians to pharmacists changed from 4:1 to be determined by the pharmacist in charge. The board reserves the right to impose a ratio of pharmacy technicians to pharmacists if circumstances so dictate.

Non-certified pharmacy technicians must not re-apply with the board of pharmacy as a non-certified pharmacy technician **unless enrolled in a board recognized technician training program**.

16.19.30.9 NMAC A Compounding of Non-Sterile Pharmaceuticals pdf version

Removed operational standards for compounding for a prescriber's office use.

March 15, 2013
16.19.4.10 and 17 NMAC A Pharmacist pdf version

Continuing pharmacy education requirements updated to include a minimum of 0.2 CEU (2 contact hours) per renewal period be in the area of safe and appropriate use of opioids.

Programs for responsible opioid prescribing practices outlined for pharmacist clinicians requesting controlled substance registration, and addition of 0.2 CEU (2 contact hours) per renewal period in the subject area of responsible opioid prescribing practices.

January 15, 2013
16.19.6 NMAC A Pharmacies pdf version

Sterile pharmaceutical preparation section updated to include requirements presented in USP <797>, including testing of equipment used to provide an aseptic environment by a qualified contractor.

October 15, 2012
16.19.4 NMAC A Pharmacist pdf version

Practice of pharmacy definition updated and outlined. Requirements to maintain active status updated to read: any pharmacist who maintains competency through the development and maintenance of knowledge, skill and aptitude, to ensure continuing competence as a pharmacy professional, and is able to demonstrate to the board said competence in the practice of pharmacy shall be issued an active license. Records of continuing education or continuous professional development shall be maintained and available for inspection by the board or the board's agent. A pharmacist shall be issued an active status license upon proper application and payment of fees.

Addition of ordering lab tests and other tests appropriate for monitoring of drug therapy to pharmacist clinician protocol types of prescriptive authority decisions.

16.19.15 NMAC A Dangerous Veterinary Drugs – Retail Distribution pdf version
Added definitions for "animal drug" and "therapeutically equivalent". Describes conditions under which a pharmacist may dispense a lower cost animal drug. Addition of resources to research bioequivalence information, and documentation required if animal drug product selection occurs as permitted in this regulation.

August 15, 2012
16.19.4.9 and 16 NMAC A Pharmacist pdf version

Amended unprofessional or dishonorable conduct by a pharmacist to include failure to perform a prospective drug review as described in Subsection D of 16.19.4.16 NMAC and document steps taken to resolve potential problems. Prospective drug review procedures updated to include possible review of a controlled substance prescription monitoring report or another states' reports. Established standards and procedures for utilizing a prescription monitoring report for opiate prescriptions.

16.19.20 NMAC A Controlled Substances pdf version

Addition to registration requirements that practitioners must register with the New Mexico prescription monitoring program in conjunction with their controlled substance registration. Updated prescription requirements for controlled substances and inclusion of computer-generated and transmitted electronic prescriptions.

Addition to 16.19.20.42.F that a new telephone prescription for any Schedule III, IV, or V opiate shall not exceed a ten day supply, based on the directions for use, and cannot be refilled. Verbal refill authorizations and clarifications to existing prescriptions are exempt from this requirement.

16.19.20.45A addition of controlled substance refill requirements based on last prescription filled and practitioner early refill authorization.

16.19.29 NMAC A Controlled Substance Prescription Monitoring Program pdf version

Updated definitions, requirements for the prescription monitoring program, access to prescription information, registration for access to prescription information, and penalties.

May 31, 2012
16.19.20.65 NMAC A Controlled Substances pdf version

Addition of seven categories of synthetic cannabinoid compounds to New Mexico's Schedule 1 Controlled Substances.

16.19.23 NMAC A Parental Responsibility Act Compliance pdf version

Added definitions of "applicant", "license", and "licensee". Certified list amended to read: HSD shall provide the board with a certified list of obligors not in compliance with a judgement and order for child support on a monthly basis. The board shall report to HSD the names of applicants and licensees who are on the certified list and the action the board has taken in connection with such applicants and licensees. Minor changes made to section designations to reflect the appropriate changes.

November 15, 2011
16.19.34 NMAC N Prescription Drug Donation pdf version

Establishes standards and procedures necessary for the safe redistribution of previously dispensed prescription drugs for participating practitioners and clinics. This only pertains to eligible drugs stored in tamper evident packaging, or protected by a tamper-evident process preventing unauthorized access, and only for drugs donated by patients of that participating clinic or practitioner.

16.19.20.65 NMAC A Controlled Substances pdf version

Addition of fifteen synthetic cannabinoid compounds, nineteen substituted cathinones (bath salts), salvinorin A, and salvia divinorum to New Mexico's Schedule 1 Controlled Substances.

16.19.22 .7 and 9 NMAC A Support Personnel and Pharmacy Technicians pdf version Two minor changes were made. One to the definition of stocking and the other to clarify that extensions will no longer be granted to pharmacy technicians who have failed to acquire their certification within one year.

"Stocking" means placement of the prescription drug container on the pharmacy shelf [~~or other areas of the facility where the product is available for use~~].

Extensions for certification of pharmacy technicians registered on or after November 15, 2010 are no longer granted

August 31, 2011
16.19.4 NMAC A Pharmacist pdf version Unprofessional or dishonorable conduct amended to include the dispensing of a prescription order to a patient if the pharmacist has knowledge or reasonably should know it was based on an internet questionnaire or an internet-based consultation without a valid practitioner-patient relationship.

May 31, 2011
16.19.29 NMAC A Prescription Monitoring Program pdf version A dispenser does not include a clinic, urgent care, or emergency department dispensing 12 or less dosage units in a 72 hour period.
Addition of schedule V controlled substances to the PMP program. Addition of payment classification to the information submitted for each prescription to the PMP by each dispenser.
Change of frequency of submitting information to the board by dispenser to at least

every 7 days.
Addition of parents to have access to prescription records of their children.
Addition of other states controlled substance monitoring programs to have access to PMP data.
Addition of reporting of PMP data to requesting individuals via facsimile or other electronic means.
Extensive list of the kinds of statistical data to be provided in reports by the PMP program.
Addition of registration requirements for practitioners and pharmacies to have access to prescription information.
Addition of regulations regarding the exchange of information with other states' prescription monitoring programs.

February 28, 2011

16.19.20 NMAC A Controlled Substances pdf version
Tramadol was added to the Schedule IV Controlled Substances

16.19.26 NMAC A Prescriptive Authority pdf version
Pharmacist Prescriptive Authority: Pharmacist prescriptive authority was expanded to allow for tuberculosis testing

December 1, 2010

16.19.6 NMAC A Pharmacies pdf version
"Patients' Bill of Rights" was added to the "Conspicuous Display" requirements for pharmacies.

October 15, 2010

16.19.35 NMAC N Drug Warehouse pdf version
New rule to allow supplemental storage of pharmaceuticals by clinics and pharmacies physically located within the state.

16.19.12 NMAC A Fees pdf version

16.19.22 NMAC A Support Personnel and Pharmacy Technicians pdf version
Extensive changes for pharmacy technician practice in New Mexico.

July 30, 2010

16.19.1.1 ISSUING AGENCY: Regulation and Licensing Department - Board of Pharmacy, [~~1650 University Blvd, NE - Ste. 400B,~~] Albuquerque, NM [~~87102, (505) 841-9102~~].
[02-15-96; 16.19.1.1 NMAC - Rn, 16 NMAC 19.1.1, 03-30-02; A, 08-16-10]

16.19.1.12 PROTECTED ACTIONS AND COMMUNICATIONS:

A. All written and oral communication made by any person to the board or any committee of the board relating to actual or potential disciplinary action, which includes complaints made to the board or the committee, shall be confidential communications and are not public records for the purposes of the Inspection of Public Records Act [Chapter 14, Article 2 NMSA 1978]. All data, communications and information acquired, prepared or disseminated by the board or a committee relating to actual or potential disciplinary action or its investigation of complaints shall not be disclosed except to the extent necessary to carry out the purposes of the board or the committee or in a judicial appeal from the actions of the board or

the committee or in a referral of cases made to law enforcement agencies, national database clearinghouses or other licensing boards.

B. Information contained in complaint files is public information and subject to disclosure when the board or the committee acts on a complaint and issues a notice of contemplated action or reaches a settlement prior to the issuance of a notice of contemplated action.

[16.19.1.12 NMAC - N, 08-16-10]

16.19.1 NMAC A Pharmacists: General Provisions pdf version

16.19.4 NMAC A Pharmacist
Continuing education requirements for pharmacist were changed now requiring pharmacists to attend "live CE" and to also obtain mandatory CE in medication safety.
16.19.4 NMAC A Pharmacist pdf version

April 30, 2010

16.19.33 NMAC N Tele-Pharmacy and Remote Dispensing
The objective of Part 33 of Chapter 19 is to ensure the safe and competent delivery of quality pharmaceutical products and the provision of pharmaceutical care to the public by establishing standards for the operation of remote dispensing sites and tele-pharmacy, including but not limited to minimum space requirements and standards for equipment, accessories, personnel, dispensing and labeling.
16.19.33 NMAC N Tele-Pharmacy and Remote Dispensing pdf version

16.19.4 NMAC A Pharmacist
c) patient encounters must be[~~initialed~~] **initiated** and completed within 2 years of the application
16.19.4 NMAC A Pharmacist pdf version

16.19.6 NMAC A Pharmacies
Summary of changes:
Counter height requirements were changed to be compliant with the ADA.
Sterile Pharmaceutical Preparation**:** deleted minimum hour requirements and changed [ACPE approved] course to "board approved" course. For pharmacist interns the option of certification through the University Of New Mexico College Of Pharmacy has been added. For technicians the requirement of having a high school or equivalent education has been deleted.
Dispensed Pharmaceuticals, Collection and Disposal**:** sets protocol to obtain board approval for a pharmacy to become authorized to destroy returned medications.
Computerized Prescription Information: adds that the original paper prescription document for a non-controlled substance must be maintained on the licensed premises for a period of 120 days, and controlled substances for two years, from the initial date of dispensing. Requirements for offsite storage of prescription documents were also set.

16.19.6 NMAC A Pharmacies pdf version

16.19.20 NMAC A Controlled Substances
Substances added to schedules 2, 3, 4 and 5
16.19.20 NMAC A Controlled Substances pdf version

November 13, 2009

16.19.8 Extensive changes to the rule governing wholesale drug distribution. It includes new pedigree requirements, background checks, drug security provisions, and new policy

and procedure requirements.

16.19.8 NMAC R Wholesale Prescription Drug Distribution pdf version
16.19.8 NMAC N Wholesale Prescription Drug Distribution pdf version

December 15, 2008

16.19.6 NMAC (A) Pharmacies: New rules allowing pharmacists to perform drug utilization reviews from secure locations connected electronically to a licensed pharmacy.
16.19.6 NMAC A Pharmacies pdf version

16.19.27 NMAC (A) Dishonorable Conduct (Facility): Failure to adhere to written policy and procedures established by the pharmacist-in-charge.
16.19.27 NMAC A Dishonorable Conduct pdf version

February 14, 2008

16.19.6 NMAC (A) Pharmacies: A new section requiring appropriate public notice for pharmacies
permanently closing.
16.19.6 NMAC A Pharmacies pdf version

January 15, 2008

16.19.4 NMAC (A) Pharmacist: New criteria for unprofessional conduct for a pharmacist. The new section requires a valid practitioner-patient relationship for a pharmacist to fill a prescription, with exceptions for expedited partner, emergency medicine, immunizations, and STD.
16.19.4 NMAC A Pharmacist pdf version

16.19.6 NMAC (A) Pharmacies: Sterile products training requirements deadline was extended to the end of 2008.
16.19.6 NMAC A Pharmacies pdf version

16.19.20 NMAC (A) Controlled Substances: Amendment requiring Pharmacies to obtain and record the photo identification information of persons filling/picking-up controlled substance prescriptions.
16.19.20 NMAC A Controlled Substances pdf version

April 16, 2007

16.19.32 NMAC (N) Waiver Provisions: New rule defining the requirements for registrants seeking a waiver from Board of Pharmacy regulations.
16.19.32 NMAC N Waiver Provisions pdf version

January 16, 2007

16.19.3 NMAC (A) Reciprocity: New section providing for a 90 day temporary pharmacist registration for pharmacists moving to New Mexico.
16.19.3 NMAC A Reciprocity pdf version

16.19.4 NMAC (A) Pharmacist: Pharmacist Clinician rules were updated to reflect changes made by Medical Board.

16.19.4 NMAC A Pharmacist pdf version

16.19.7 NMAC (A) Hospital Pharmacies: Changes to the hospital rules allowing the outsourcing of pharmaceutical services
16.19.7 NMAC A Hospital Pharmacies pdf version

16.19.12 NMAC (A) Fees: Waiver of the pharmacist renewal fee for members of the military serving in an active war zone or in direct support thereof.
16.19.12 NMAC A Fees pdf version

16.19.20 NMAC (A) Controlled Substances: This change removed the requirement that a pharmacist sign their name to the actual controlled substance prescription if they have electronic records w/ that information.
16.19.20 NMAC A Controlled Substances pdf version

16.19.21 NMAC (A) Drug Precursors: The old rules for OTC sellers of pseudoephedrine were removed since by law the products became controlled substances.
16.19.21 NMAC A Drug Precursors pdf version

16.19.26 NMAC (A) Pharmacist Prescriptive Authority: A more current authority for vaccines, Advisory Committee on Immunization Practices, was added to the approval process/criteria for Vaccines prescribed by a pharmacist. Also, requirements for updating the NMDOH database on immunizations were added.
16.19.26 NMAC A Pharmacist Prescriptive Authority pdf version

June 15, 2006

16.19.4 NMAC (A) Pharmacist: New section allowing the re-use of prescription drugs in correctional facilities.
16.19.4 NMAC A Pharmacist pdf version

16.19.6 NMAC (A) Pharmacies: New section to allow the use electronic prescriptions.
16.19.6 NMAC A Pharmacies pdf version

16.19.20 NMAC (A) Controlled Substances: New section supporting legislative change making pseudoephedrine products controlled substances.
16.19.20 NMAC A Controlled Substances pdf version

16.19.28 NMAC (A) Seller or Dispenser of Contact Lenses: Rule for sellers/dispensers of contact lenses amended to require policies and procedures. The definitions were updated.
16.19.28 NMAC A Seller or Dispenser of Contact Lenses (Excluding Licensed Optometrists and Physicians) pdf version

April 14, 2006

16.19.31 NMAC (N/E) Emergency Provisions: Emergency provisions for pharmacists to work in this State during disasters/emergencies. New rule also allows pharmacists displaced by disasters in other states to temporarily work in New Mexico.
16.19.31 NMAC N/E Emergency Provisions pdf version

November 15, 2005

16.19.2 NMAC (A) Examinations: Requirements for the FPGE were modified to be consistent w/

NABP Foreign Pharmacist Graduate Equivalency Committee requirements.
16.19.2 NMAC A Examinations pdf version

16.19.12 NMAC (A) Fees: Fees for wholesale distributors were reduced to $700/2-years upon the implementation of Medicare Part D.
16.19.12 NMAC A Fees pdf version

August 31, 2005

16.19.21 NMAC (A) Drug Precursors: Adjustment to the security requirements and antitheft requirements for the OTC sale of pseudoephedrine.
16.19.21 NMAC A Drug Precursors pdf version

16.19.27 NMAC (A) Dishonorable Conduct: Having a policy or procedure that prevents the apprehension or prosecution of a known or suspected prescription drug forgery suspect.
16.19.27 NMAC A Dishonorable Conduct pdf version

May 31, 2005

16.19.20 NMAC (A) Controlled Substances: Controlled substance lists (Schedule 2 through 5) were modernized to be consistent w/ Code of Federal Regulations Part 1300.
16.19.20 NMAC A Controlled Substances pdf version

December 30, 2004

16.19.4 NMAC (A) Pharmacist: Requirement that only a pharmacist may make the final check on cytotoxic and sterile preparations.
16.19.4 NMAC A Pharmacist pdf version

16.19.6 NMAC (A) Pharmacies: New training requirements for the preparation of sterile preparations were added. New requirements for facility operations and personnel were also included.
16.19.6 NMAC A Pharmacies pdf version

16.19.8 NMAC (A) Wholesale Prescription Drug Distribution: A provision for alternative fee for wholesale distributors with financial hardship or other circumstances waiver of the $5,000/year.
16.19.8 NMAC A Wholesale Prescription Drug Distribution pdf version

16.19.12 NMAC (A) Fees: Alternative fee for wholesale distributors.
16.19.12 NMAC A Fees pdf version

16.19.21 NMAC (A) Drug Precursors: New registration requirements for the sellers of OTC pseudoephedrine a methamphetamine precursor.
16.19.21 NMAC A Drug Precursors pdf version

November 30, 2004

16.19.4 NMAC (A) Pharmacist: Rule clarifying the requirement that only a pharmacist may counsel a patient concerning therapeutic drug interchange.
16.19.4 NMAC A Pharmacist pdf version

16.19.24 NMAC (A) Emergency Medical Services: Rule allowing licensed EMS facilities to store emergency medication in jump kits with emergency personnel.
16.19.24 NMAC A Emergency Medical Services Dangerous Drugs pdf version

June 30, 2004

16.19.29 NMAC (N) Controlled Substance Prescription Monitoring Program: Rules for the startup of an electronic controlled substance monitoring program operated by the Board.
16.19.29 NMAC N Controlled Substance Prescription Monitoring Program pdf version

16.19.12 NMAC (A) Fees: The fees for wholesale drug distributors were increased from $300 to $5,000 until Medicare Part D for the funding of a senior drug program through the NMMIP.
16.19.12 NMAC A Fees pdf version

16.19.17 NMAC (A) Dangerous Drugs: The rule declaring ephedrine a dangerous drug was modified by allowing the OTC sale of specific products and removing the exemption for combination products.
16.19.17 NMAC A Dangerous Drugs pdf version

16.19.20 NMAC (A) Controlled Substances: Registration waiver for practitioners working at hospitals and clinics licensed by the Board.
16.19.20 NMAC A Controlled Substances pdf version

16.19.26 NMAC (A) Pharmacist Prescriptive Authority: Prescriptive authority for a pharmacist was amended to include drugs utilized for smoking cessation.
16.19.26 NMAC A Pharmacist Prescriptive Authority pdf version

March 15, 2004

16.19.27 NMAC (A) Dishonorable Conduct: Language tying misfilled prescriptions to work conditions was added to dishonorable conduct by a facility licensed by the Board.
16.19.27 NMAC A Dishonorable Conduct pdf ver

January 30, 2004

16.19.4 NMAC (A) Pharmacist: Verification of all electronic entries was struck from the pharmacist's requirements when verifying a prescription. The pharmacist assumes all responsibility for the filled prescription.
16.19.4 NMAC A Pharmacist pdf version

16.19.21 NMAC (A) Drug Precursors: Red phosphorous, crystal and matrix iodine, and anhydrous ammonia were added to the list of immediate precursors of controlled substances.
16.19.21 NMAC A Drug Precursors pdf version

November 13, 2003

16.19.27 NMAC (N) Dishonorable Conduct: A new rule that defined dishonorable conduct for a licensed business, pharmacy technician or pharmacist intern.
16.19.27 NMAC N Dishonorable Conduct pdf version

16.19.28 NMAC (N) Seller or Dispenser of Contact Lenses: New rule specifying the requirements for the sellers/dispenser of contact lenses (excluding optometrists and other practitioners.)
16.19.28 NMAC N Seller or Dispenser of Contact Lenses (Excluding Licensed Optometrists and Physicians) pdf version

16.19.8 NMAC (A) Wholesale Prescription Drug Distribution: Requirements for registration of

manufacturers representatives who distribute drug sample was added. Central record keeping authority for drug wholesalers was added.
16.19.8 NMAC A Wholesale Prescription Drug Distribution pdf version

16.19.9 NMAC (A) Minimum Standards for Manufacturing and Repackaging Firms: The language stating their shall be no fee for manufacturers' representatives was struck.
16.19.9 NMAC A Minimum Standards for Manufacturers and Repackaging Firms pdf version

September 15, 2003

16.19.4 NMAC (A) Pharmacist: Pharmacist Clinician rule was amended to have the license expire on the same day as their pharmacist license.
16.19.4 NMAC A Pharmacist pdf version

16.19.6 NMAC (A) Pharmacies: The use of a word/term or symbol indicating a business may be a pharmacy was clarified with waiver provisions for historic locations.
16.19.6 NMAC A Pharmacies pdf version

16.19.12 NMAC (A) Fees: Fees for facilities were adjusted to reflect two-year registrations.
16.19.12 NMAC A Fees pdf version

March 31, 2003

16.19.7 NMAC (A) Hospital Pharmacies: Rule modified to allow one technician in the pharmacy in the absence of a pharmacist. Space requirements were adjusted based on licensed beds.
16.19.7 NMAC A Hospital Pharmacies pdf version

January 31, 2003

16.19.2 NMAC (A) Examinations: The jurisprudence exam was changed from one developed by the Board to the MPJE.
16.19.2 NMAC A Examinations pdf version

16.19.20 NMAC (A) Controlled Substances: GHB was added to the list of Schedule III depressants.
16.19.20 NMAC A Controlled Substances pdf version

December 13, 2002

16 NMAC 19.11 (R) Nursing Home Drug Control: Existing rule repealed.
16 NMAC 19.11 R Nursing Home Drug Control pdf version

16.19.11 NMAC (N) Nursing Home Drug Control: New rule with modernized requirements for nursing and boarding homes.
16.19.11 NMAC N Nursing Home Drug Control pdf version

16.19.13 NMAC(N) Temporary Business License: New rule to allow for a new business to receive a temporary license until the next board meeting.
16.19.13 NMAC N Temporary Business Licenses pdf version

16.19.26 NMAC (N) Pharmacist Prescriptive Authority: New rule allowing pharmacists to prescribe emergency contraception and vaccines under approved protocols.
16.19.26 NMAC N Pharmacist Prescriptive Authority pdf version

16.19.4 NMAC (A) Pharmacist: The rule was amended to consolidate non-resident active status to active status. Continuing education requirements were modified to reflect biennial licensure.

16.19.4 NMAC A Pharmacist pdf version

16.19.12 NMAC (A) Fees: Fees for pharmacists were modified to reflect amounts for biennial licensure.

16.19.12 NMAC A Fees pdf version

16.19.20 NMAC (A) Controlled Substances: The list of practitioners required to register was updated to include practitioners with new prescriptive authority.

16.19.20 NMAC A Controlled Substances pdf version