

## Displaying information for All Roles located in New Mexico for All Scenarios

### Liability: Public Employee

NM Stat. Ann. 41-4-4(A)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

A public or governmental employee acting within the scope of their duty, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm or for causing injury, death, or damage while operating a motor vehicle.

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### License Reciprocity and Liability: During Emergency

NM Stat. Ann. 12-10-13

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

When an emergency declaration is in effect, an individual, who holds a license, certificate, or permit to practice a professional, mechanical, or other skill, can be credentialed by the Department of Health or Homeland Security and Emergency Management Department to practice the professional, mechanical, or other skill without complying with New Mexico licensure requirements. The individual, if acting within the scope of their official duties, will not be held legally responsible for injury, death, or damage to property. They can be held legally responsible if acting with extreme carelessness or intent to cause harm or for causing injury, death, or damage while operating a motor vehicle.

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### Hazardous Materials Volunteer

10.20.2.16 NMAC

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual, who, voluntarily and at the request of a public official, performs services during a hazardous materials incident, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Volunteer firefighters and emergency medical technicians employed by a fire department can be covered by the fire department's workers' compensation, if possible, and can be eligible for state medical coverage.

An individual, who volunteers with the Red Cross, will be covered by Red Cross workers' compensation.

### **Good Samaritan Law**

NM Stat. Ann. 24-10-3

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual, who, in good faith and without compensation, provides emergency care or assistance at the scene of an emergency, will not be held legally responsible for acting or for failing to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Generally, Good Samaritan laws only offer protection for those individuals who provide care during spontaneous emergencies unrelated to volunteer deployment.

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### **Liability: Providing Shelter**

NM Stat. Ann. 12-10-8

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual, who owns property and who, voluntarily and without compensation, allows another to use the property for shelter during an actual or threatened attack, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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### **Liability: Emergency Medical Technician**

NM Stat. Ann. 24-10B-8

EMT

An EMT, who acts within the scope of their duty, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm or for causing injury, death, or damage while operating a motor vehicle.

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### **Liability: Use of AED**

NM Stat. Ann. 24-10C-7

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual, who provides training or supervision regarding the use of an AED, will not be held legally responsible. An individual, who provides emergency care using an AED, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

**Displaced Worker Emergency**

**License: Pharmacist**

16.19.31.9 NMAC

Pharmacist

When a federal emergency declaration is in effect in another state, a pharmacist in good standing in the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Board of Pharmacy.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency**

**License: Interior Designer**

16.42.3.11 NMAC

Volunteer / Other

When a federal emergency declaration is in effect in another state, an interior designer in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, verifying that they were personally and/or professionally affected by the disaster, and providing any other documents requested by the Regulation and Licensing Department Counseling and Interior Design Board.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency**

**License: Landscape Architect**

16.44.3.15 NMAC

Volunteer / Other

When a federal emergency declaration is in effect in another state, a licensed landscape architect in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Board of Landscape Architects.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency**

**License: Psychologist**

16.22.5.14 NMAC

Mental and Behavioral Health Professional

When a federal emergency declaration is in effect in another state, a psychologist in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the State Board of Psychologist Examiners.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency**

**License: Athletic Trainer**

16.3.10.8 NMAC

Other medical professional

When a federal emergency declaration is in effect in another state, an athletic trainer in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Athletic Trainers Practice Board.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency**

**License: Nutrition and Dietetic Practitioner**

16.14.3.12 NMAC

Other medical professional

When a federal emergency declaration is in effect in another state, a nutrition practitioner and a dietetic practitioner in good standing in the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, verifying that they were personally or professionally affected by the disaster, and providing any other documents requested by the Nutrition and Dietetic Practice Board.

This section is limited to up to 4 months after the declaration.

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**License Reciprocity: Out-of-State**

**Employee**

NM Stat. Ann. 12-10-11.1(B)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

When an emergency declaration is in effect, an out-of-state employee, performing disaster-related work, does not need to comply with New Mexico licensing or registration requirements.

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**License Reciprocity and Liability:  
During Emergency**

NM Stat. Ann. 12-10-13

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

When an emergency declaration is in effect, an individual, who holds a license, certificate, or permit to practice a professional, mechanical, or other skill, can be credentialed by the Department of Health or Homeland Security and Emergency Management Department to practice the professional, mechanical, or other skill without complying with New Mexico licensure requirements. The individual, if acting within the scope of their official duties, will not be held legally responsible for injury, death, or damage to property. They can be held legally responsible if acting with extreme carelessness or intent to cause harm or for causing injury, death, or damage while operating a motor vehicle.

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**Displaced Worker Emergency**

**License: Social Worker**

16.63.5.8 NMAC

Social Worker

When a federal emergency declaration is in effect in another state, a licensed social worker in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Board of Social Work Examiners.

This section is limited to up to 6 months after the declaration.

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**Displaced Worker Emergency**

**License: Dental Health Practitioner**

16.5.4.8 NMAC

Other medical professional, Dentist

When a federal emergency declaration is in effect in another state, a dental health practitioner in good standing from the affected state can obtain an emergency license or certification to practice in New Mexico by demonstrating proof of current licensure or certification and providing any other documents requested by the Board of Dental Health Care.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency**

**License: Nursing Home Administrator**

16.13.5.12 NMAC

Volunteer / Other

When a federal emergency declaration is in effect in another state, a nursing home administrator in good standing in the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, verifying that they were personally or professionally affected by the disaster, and providing any other documents requested by the Nursing Home Administrators Board.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency**

**License: DEA Controlled Substance Registration**

16.19.31.10 NMAC

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

When a federal emergency declaration is in effect in another state, an individual, holding a DEA controlled substance registration from the affected state and a temporary license issued by a New Mexico regulatory agency, can obtain an emergency license to practice in New Mexico by completing an application and providing any other documents requested by the Board of Pharmacy.

This section is limited to up to 4 months after the declaration.

**Displaced Worker Emergency  
License: Real Estate Appraiser**

16.62.10.9 NMAC

Volunteer / Other

When a federal emergency declaration is in effect in another state, a licensed real estate appraiser in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Real Estate Appraisers Board.

This section is limited to up to 4 months after the declaration.

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**License Reciprocity: Intrastate Mutual  
Aid**

NM Stat. Ann. 12-10B-7

Other medical professional, Volunteer / Other,  
Nurse, Physician, EMT, Government Public Health,  
Firefighter, Law Enforcement, Veterinarian, Dentist,  
Pharmacist, Social Worker, Mental and Behavioral  
Health Professional

An individual, who holds a license, certificate, or permit to practice a professional, mechanical, or other skill, is considered fully credentialed to practice the professional, mechanical, or other skill, during a declared emergency or training without complying with local licensure requirements.

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**Displaced Worker Emergency  
License: Eastern Medicine Practitioner**

16.2.1.11 NMAC

Other medical professional

When a federal emergency declaration is in effect in another state, a doctor of oriental medicine and an auricular detoxification specialist in good standing from the affected state can obtain an emergency license or certification to practice in New Mexico by demonstrating proof of current licensure or certification, completing an application, and providing any other documents requested by the Board of Acupuncture and Oriental Medicine.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency  
License: Chiropractor**

16.4.2.1 NMAC

Other medical professional

When a federal emergency declaration is in effect in another state, a chiropractor in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Board of Chiropractic Examiners.

This section is limited to up to 4 months after the declaration.

**Displaced Worker Emergency License: Physical Therapist**

16.20.3.12 NMAC

Other medical professional

When a federal emergency declaration is in effect in another state, a physical therapist in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Physical Therapy Board.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency License: Barber, Cosmetologist, Manicurist, Pedicurist, Esthetician, and Electrologist**

16.34.2.11 NMAC

Other medical professional, Volunteer / Other

When a federal emergency declaration is in effect in another state, a barber, a cosmetologist, a manicurist, a pedicurist, an esthetician, and an electrologist in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Regulation and Licensing Department Counseling and Board of Barbers and Cosmetologists.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency License: Podiatric Physician**

16.21.5.12 NMAC

Other medical professional

When a federal emergency declaration is in effect in another state, a podiatric physician in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure and residency, completing an application, and providing any other documents requested by the Board of Podiatry.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency License: Physician**

16.10.2.16 NMAC

Physician

When a federal emergency declaration is in effect in another state, a physician in good standing from the affected state or an unlicensed physician, whose application for licensure was pending in the affected state at the time of the emergency, can obtain a federal emergency license, by examination or endorsement, to practice in New Mexico. If possible, they must demonstrate proof of current licensure or application for licensure and must provide any other documents requested by the Medical Board.

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**Displaced Worker Emergency License: Counselor and Therapist**

16.27.21.8 NMAC

Mental and Behavioral Health Professional

When a federal emergency declaration is in effect in another state, a licensed counselor or therapist in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Regulation and Licensing Department Counseling and Therapy Practice Board.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency License: Occupational Therapist and Occupational Therapy Assistant**

16.15.2.17 NMAC

Other medical professional

When a federal emergency declaration is in effect in another state, an occupational therapist and an occupational therapy assistant in good standing in the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure and residency, completing an application, and providing any other documents requested by the Board of Examiners for Occupational Therapy.

This section is limited to up to 4 months after the declaration.

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**Displaced Worker Emergency License: Funeral Service Practitioner**

16.64.3.10 NMAC

Volunteer / Other

When a federal emergency declaration is in effect in another state, a funeral service practitioner in good standing from the affected state can obtain an emergency license to practice in New Mexico by demonstrating proof of current licensure, completing an application verifying that they were personally and professionally affected by the disaster, and providing any other documents requested by the Board of Funeral Services.

This section is limited to up to 4 months after the declaration.

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**Emergency Temporary License: Pharmacist**

16.19.31.8 NMAC

Pharmacist

In an emergency situation, an out-of-state pharmacist, who has an active license and is sponsored by a local pharmacy, can obtain an emergency temporary pharmacist license to practice in New Mexico by submitting an application. They can only practice in the sponsoring pharmacy.

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**Displaced Worker Emergency License: Speech-Language Pathologist, Audiologist, Hearing Aid Dispenser**

16.26.10.8 NMAC

Other medical professional, Mental and Behavioral Health Professional

When a federal emergency declaration is in effect in another state, a speech-language pathologist, an audiologist, and a hearing aid dispenser in good standing from the affected state can obtain an emergency license to practice in New Mexico, that can last for 6 months, by demonstrating proof of current licensure, completing an application, and providing any other documents requested by the Speech Language Pathology, Audiology and Hearing Aid Dispensing Practices Board.

This section is limited to up to 4 months after the declaration.

**Emergency Inspections: Authorized Personnel**

NM Stat. Ann. 24-1-19

Volunteer / Other, Government Public Health, Law Enforcement

An individual, who is authorized by law to make inspections of private property, can enter land or a building immediately and without prior notice to make an emergency search, if failing to do so would be dangerous to public health or safety.

**Scope of Practice: Pharmacist Use of Opioid Antagonist**

NM Stat. Ann. 24-23-1(C)-(D)

Pharmacist

A pharmacist can dispense or distribute an opioid antagonist to an individual at risk of experiencing an opioid-related overdose, to an individual in a position to assist another who may overdose, or to an overdose prevention and education program.

**Scope of Practice: Journeyman Plumber and Journeyman Gas Fitter**

NM Stat. Ann. 12-12B-4(A)

Volunteer / Other

When an emergency declaration is in effect, an individual, who is a fully certified plumber or gas fitter, can employ up to 5 gas pilot relighting technicians.

**Workers? Benefits: Disaster Volunteer**

NM Stat. Ann. 12-10C-3

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional, Minor/Student

When an emergency declaration is in effect, a volunteer emergency responder who provides services can obtain leave from their place of employment for up to 10 days per year. They must attempt to provide notice to their employer and their employer will not demote or discriminate against them in any way as a result of their volunteering.

## Hazardous Materials Volunteer

10.20.2.16 NMAC

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual, who, voluntarily and at the request of a public official, performs services during a hazardous materials incident, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Volunteer firefighters and emergency medical technicians employed by a fire department can be covered by the fire department's workers' compensation, if possible, and can be eligible for state medical coverage.

An individual, who volunteers with the Red Cross, will be covered by Red Cross workers' compensation.

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## Relevant Compacts

Nurse Licensure Compact

Western Interstate Nuclear Compact

Emergency Management Assistance Compact