State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2020-037

AMENDED ORDER DIRECTING INDIVIDUALS TRAVELING TO NEW MEXICO THROUGH AN AIRPORT TO SELF-ISOLATE OR SELF-QUARANTINE FOR A LIMITED PERIOD AND DIRECTING THE NEW MEXICO DEPARTMENT OF HEALTH TO INITIATE LAWFUL ISOLATION AND QUARANTINE PROCEEDINGS FOR INDIVIDUALS WHO DO NOT SELF-ISOLATE OR SELF-QUARANTINE

WHEREAS, on March 11, 2020, Executive Order 2020-004 declared a statewide public health emergency pursuant to the Public Health Emergency Response Act and invoked gubernatorial powers under the All Hazard Emergency Management Act. See Order Declaring A State of Public Health Emergency and Invoking the Powers Provided by the All Hazard Emergency Management Act and the Emergency Licensing Act, Executive Order 2020-004. That Order is incorporated by reference herein.

WHEREAS, despite the best efforts of our State and local governments and the citizens of New Mexico, COVID-19 has continued to spread and ongoing efforts are still necessary to mitigate and contain the spread of COVID-19;

WHEREAS, many of the current confirmed positive cases of COVID-19 in New Mexico have resulted from interstate and international travel to New Mexico via airplane. Because some individuals infected with COVID-19 are asymptomatic or have very mild symptoms, travelers may be unaware they are carrying the virus. For this reason, persons arriving in New Mexico's airports must self-isolate for a period of time sufficient to ensure that the public health and safety is not jeopardized.

WHEREAS, the All Hazards Emergency Management Act vests my office with the authority to take all actions necessary to protect the public health, safety and welfare and to direct State agencies to provide aid during an emergency response. NMSA 1978, § 12-10-4(B)(3); NMSA 1978, § 12-10-10(A).

WHEREAS, during a declared state of public health emergency, the Public Health Emergency Response Act authorizes the New Mexico Department of Health to isolate or quarantine individuals or groups as necessary to prevent or limit the spread of a threatening communicable disease, subject to certain statutory procedures. See NMSA 1978, §§ 12-10A-7 to -11.

THEREFORE, for the reasons set forth above, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and laws of the State of New Mexico, hereby order and direct as follows:

1. I direct all persons whose travel to New Mexico has gone through an airport and whose point of departure originates outside of New Mexico to self-isolate or self-quarantine for a period of at least 14 days from the date of their entry into the State of New Mexico or for the duration of their presence in the State, whichever is shorter.

2. The terms "self-isolate" or "self-quarantine" refer the voluntary physical separation of a person or group of people in a residence or other place of lodging. Any person who is self-isolating or self-quarantining may only leave a residence or place of lodging to receive medical care and should not allow others into the residence or place of lodging except for those providing medical care, emergency response, or other individuals designated by the New Mexico Department of Health. Family or household members may visit an isolated or quarantined person, but those visitors are directed to then self-isolate or self-quarantine for a period of no less than 14 days. All

persons self-isolating or self-quarantining shall be responsible for all costs associated with the isolation or quarantine.

3. This Order's direction to self-quarantine does not apply to persons employed by airlines, those performing public safety or public health functions, military personnel, federal employees, those employed by a federal agency or national defense contractor, emergency first responders, health care workers, those arriving in the State pursuant to a Court order, and persons traveling into New Mexico to conduct business activities.

4. Individuals who do not comply with the self-isolation and self-quarantine directives set forth above shall be subject to involuntary isolation or quarantine by the New Mexico Department of Health under the Public Health Emergency Response Act.

5. I further direct the New Mexico Department of Health, with the cooperation and assistance of all other executive agencies, to take all necessary steps to ensure the screening and appropriate isolation and quarantine of individuals covered by this Order. This will include making temporary holds of individuals or groups, obtaining court orders requiring isolation or quarantine in compliance with the provisions of the Public Health Emergency Response Act, and imposing any civil or criminal penalties warranted under the Public Health Emergency Response Act and the Public Health Act when individuals do not self-isolate or self-quarantine as required by this Order.

This Order supersedes any previous orders, proclamations, or directives in conflict. This Executive Order shall take effect on June 1, 2020 and shall remain in effect through the duration of the public health emergency declared in Executive Order 2020-004 and any extensions of that emergency declaration or until it is rescinded.

ATTEST:

Maggie Toulouse Oliver

MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 1ST DAY OF JUNE, 2020

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO

Michelle Lujan Grisham

MICHELLE LUJAN GRISHAM
GOVERNOR