NEW MEXICO
Department of Health
Office of the Secretary

MICHELLE LUJAN GRISHAM
Governor

DR. TRACIE C. COLLINS, M.D.
Secretary-Designate

PUBLIC HEALTH ORDER
NEW MEXICO DEPARTMENT OF HEALTH
SECRETARY-DESIGNATE TRACIE C. COLLINS, M.D.

JANUARY 8, 2021

Public Health Emergency Order Implementing Administration and Reporting Requirements for All COVID-19 Vaccine Providers

WHEREAS, on January 30, 2020, the World Health Organization announced the emergence of a novel Coronavirus Disease 2019 ("COVID-19") that had not previously circulated in humans, but has been found to have adopted to humans such that it is contagious and easily spread from one person to another and one country to another;

WHEREAS, COVID-19 has been confirmed in New Mexico since March 11, 2020, when the New Mexico Department of Health confirmed the first cases of individuals infected with COVID-19 in New Mexico and additional cases have been confirmed each day since then;

WHEREAS, on March 11, 2020, because of the spread of COVID-19, Michelle Lujan Grisham, the Governor of the State of New Mexico, issued Executive Order 2020-004 declaring that a Public Health Emergency exists in New Mexico under the Public Health Emergency Response Act, and invoked her authority under the All Hazards Emergency Management Act;

WHEREAS, Governor Michelle Lujan Grisham has renewed the declaration of a Public Health Emergency through February 5, 2021;

WHEREAS, the further spread of COVID-19 in the State of New Mexico poses a threat to the health, safety, wellbeing and property of the residents in the State due to, among other things, illness from COVID-19, illness-related absenteeism from employment particularly among public safety and law enforcement personnel and persons engaged in activities and businesses critical to the economy and infrastructure of the State, potential displacement of persons, and closures of schools or other places of public gathering;

WHEREAS, in an effort to halt the spread of COVID-19, the state, through the New Mexico Department of Health, has begun to distribute COVID-19 Vaccine (the "Vaccine") to medical providers for administration to specific populations by phase;

WHEREAS, it is essential that medical providers, including physicians, nurses, pharmacists, nurse practitioners, physician's assistants and other health care providers authorized by the New Mexico Department of Health to receive doses of the Vaccine and oversee administration of the Vaccine (collectively referred to as "Vaccine Providers"), submit required data elements to the Department through the New Mexico Statewide Immunization Information System ("NMSIIS"), pursuant to NMSA 1978, Sections 24-5-1 to -15, and other state and federal reporting modalities, to properly track statewide administration of the Vaccine; and

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WHEREAS, the New Mexico Department of Health possess legal authority pursuant to the Public Health Act, NMSA 1978, Sections 24-1-1 to -40, the Public Health Emergency Response Act, NMSA 1978, Sections 12-10A-1 to -19, the Department of Health Act, NMSA 1978, Sections 9-7-1 to -18, and inherent constitutional police powers of the New Mexico state government to preserve and promote public health and safety.

NOW, THEREFORE, I, Tracie C. Collins, M.D., Secretary-Designate of the New Mexico Department of Health, in accordance with authority vested in me by the Constitution and the Laws of the State of New Mexico, and by as directed by the Governor pursuant to the full scope of emergency powers under the All Hazard Emergency Management Act, do hereby declare that is it necessary that Vaccine Providers report all information required by this order to respond to the instant public health emergency, to ensure the quality and accessibility of health care services and the provision of health care when healthcare is unavailable or in limited supply; and to ensure a competent public health workforce pursuant to NMSA 1978, Section 24-1-3.

I ORDER AND DIRECT as follows:

(1) All providers administering the Vaccine in the state must report all required data elements to NMSIIS within 24 hours after administering the Vaccine. The required Vaccine information to be reported to the NMSIIS include the following data elements: (1) name of vaccine; (2) manufacturer of vaccine; (3) lot/serial number of vaccine; (4) expiration date of vaccine; (5) NDC number of vaccine, if applicable; (6) date of administration of vaccine; (7) dosage administered to patient; and (8) body site and route of administration.

(2) In addition to the data elements to be provided to NMSIIS as specified above, all Vaccine providers will submit the following patient demographic information associated with each patient who is administered the Vaccine: (1) last name; (2) first name; (3) middle name, if applicable; (4) sex; (5) date of birth; (6) mailing address; (7) physical address; (8) valid phone number, (9) race, and (10) ethnicity.

(3) All Vaccine Providers must submit the aggregate inventory total remaining for all COVID-19 vaccines to VaccineFinder on a daily basis. VaccineFinder enrollment emails will be sent to the designated point of contact per the CDC COVID-19 Vaccine Provider Agreements. For additional information on VaccineFinder reporting requirements, please visit https://www.cdc.gov/vaccines/covid-19/reporting/vaccinefinder.html.

(4) Any person who willfully violates this Order may be subject to civil administrative penalties available at law.

I FURTHER ORDER AND DIRECT as follows:

(1) This Order shall be broadly disseminated in English, Spanish and other appropriate languages to the citizens of the State of New Mexico.

(2) This Order shall take effect on January 8, 2021 and remain in effect for the duration of the public health emergency first declared in Executive Order 2020-004 and any subsequent renewals of that public health emergency declaration unless otherwise rescinded. This Order may be renewed consistent with any direction from the Governor.

ATTEST:

Maggie Toulouse Oliver

MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 8TH DAY OF JANUARY 2021

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

Tracie C. Collins

TRACIE C. COLLINS, M.D.
SECRETARY-DESIGNATE OF THE STATE OF
NEW MEXICO DEPARTMENT OF HEALTH