

**SECTION IX:  
IMMUNIZATIONS**

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## NEW MEXICO IMMUNIZATION LAW

### INTRODUCTION

New Mexico law requires that all students be immunized against certain communicable diseases. These requirements are determined by the NM Department of Health (NMDOH) in collaboration with the NM Vaccine Advisory Committee using recommendations from the national Advisory Committee on Immunization Practices (ACIP). The State's official immunization requirements for schools and childcare facilities are released annually and can be accessed at <http://immunizenm.org/schoolreq.shtml>

In the school setting, the school nurse is best qualified to determine which students are missing required vaccinations and subsequently notifies parents/guardians. The NM Immunization Program surveys immunization records of a cohort of school districts identified through a random selection process by the Centers for Disease Control and Prevention (CDC) each year. Each selected school is notified of its survey status early in the school year to provide adequate time to establish survey dates with selected sites.

### IMMUNIZATION ASSESSMENT

- For the student who has begun the process of immunization vaccination and the process is being accomplished in accordance with the current NM immunization requirement schedules, that student meets New Mexico immunization standards and may enroll in and attend school. <http://immunizenm.org/schoolreq.shtml>
- For the student who has no immunization record but was formerly enrolled in a school in the United States, a formal request for immunization records must be made by the school nurse to the previous school attended to be considered in process. The student should be re-evaluated in one month. If the student was formerly enrolled in a school in another country and has no record or any contact information to acquire records, initiation of required immunizations must begin immediately or have an appointment to do so to be considered in process. <http://www.nmcpr.state.nm.us/nmac/parts/title06/06.012.0002.htm>
- For the student whose immunizations are not up-to-date but who has received all immunizations currently permissible by medical practice, s/he is considered in process.
- For the student who is attempting to reach compliance but is behind on a vaccination series, s/he is no longer considered in process. A scheduled appointment to receive required immunizations can be considered in process, allowing the student to register and attend school. If proof of immunization is not presented the first school day after this appointment, disenrollment procedure can begin. When any student is kept out of school longer than five consecutive days for noncompliance, the local Regional Health Officer (RHO) for NMDOH should be notified. <http://www.nmcpr.state.nm.us/nmac/parts/title07/07.005.0002.htm>
- Children who are younger than five years of age and who attend childcare or early childhood development programs on school grounds should be in compliance with the NM required immunization schedule for childcare centers.

## NEW MEXICO ADMINISTRATIVE CODES

TITLE 7                   HEALTH  
CHAPTER 5               VACCINATIONS AND IMMUNIZATIONS  
PART 2                   IMMUNIZATION REQUIREMENTS

<http://www.nmcpr.state.nm.us/nmac/parts/title07/07.005.0002.htm>

TITLE 6                   PRIMARY & SECONDARY EDUCATION  
CHAPTER 12              PUBLIC SCHOOL ADMINISTRATION – HEALTH AND SAFETY  
PART 2                   HEALTH – IMMUNIZATIONS OF SCHOOL CHILDREN

<http://www.nmcpr.state.nm.us/nmac/parts/title06/06.012.0002.htm>

## NEW MEXICO STATUTES ANNOTATED

CHAPTER 24              HEALTH AND SAFETY  
<http://statutes.laws.com/new-mexico/chapter-24>

ARTICLE 5               IMMUNIZATION  
<http://statutes.laws.com/new-mexico/chapter-24/article-5>

SECTION 1               Immunization Regulations  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-1>

SECTION 2               Unlawful to enroll in school unimmunized; unlawful to refuse to permit  
Immunization  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-2>

SECTION 3               Exemption from immunization  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-3>

SECTION 4               Superintendent; duty to report  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-4>

SECTION 5               Who may immunize; who must pay  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-5>

SECTION 6               Penalty  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-6>

SECTION 7                      Immunization registry; creation  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-7>

SECTION 8                      Reporting  
<http://statutes.laws.com/new-mexico/chapter-24/article-5/section-24-5-8>

## EXEMPTIONS FROM IMMUNIZATION

### INTRODUCTION

A student in New Mexico may be exempt from NM Public Education Department (PED) and NM Department of Health (DOH) immunization requirements to register and attend school upon providing to the school an exemption form (see below).

### EXEMPTION FROM SCHOOL, CHILDCARE AND PRE-SCHOOL IMMUNIZATION

The New Mexico Immunization Exemption Statute (24-5-3) allows **only** two types of exemptions for children seeking exemption from required immunizations to enter school, childcare or pre-school. The two exemptions are medical or religious. If there is a medical reason for exempting from immunization, a signed document must be obtained from a duly-licensed physician (MD or DO) attesting that the required immunization(s) would endanger the life of the child. Said document must accompany the completed, notarized, original exemption form. If there is a religious reason for exempting from immunization, the child's parent/guardian must: a) ask an officer of the church to write a letter on their behalf stating that they are a member of the church, and the church uses prayer or spiritual means alone for healing; or if access to a church officer is not possible, then the child's parent/guardian must b) check the box on the exemption certifying that there are religious reasons for requesting to have a child exempted from immunization. <http://immunizenm.org/schoolreq.shtml>

#### **The law does not grant immunization exemptions for philosophical or personal reasons.**

Once a completed, notarized, original **Certificate of Exemption Form** is filed with the Department of Health, the Department has up to sixty days to notify the parent/guardian if the request is approved or denied. If approved, the parent/guardian will receive two copies of the original form with a clear "Approved" box checked, a signature from an officer of the Department, and an expiration date. The parent/guardian must take the Approved form to the child's school. If denied, the parent/guardian will receive a letter from the Department of Health explaining that the request is denied, and that the parent/guardian has the right to file an appeal with the Immunization Program Manager. A process for appeal will also be included.

**NMAC 7.5.3: "Within sixty (60) days of receipt of a certificate of conscientious objection to immunization, the director of the public health division or the designee shall review the certificate to determine whether the certificate has been duly completed and notarized. The public health division shall investigate as may be appropriate to ascertain that the exemption is a bona fide claim of religious beliefs and practices."**  
<http://www.nmcpr.state.nm.us/nmac/parts/title07/07.005.0003.htm>

## **SCHOOL AND COMMUNITY BASED IMMUNIZATION CLINICS**

### **INTRODUCTION**

School nurses may be involved in assisting with or coordinating on-site school and community based immunization activities. Partnering in these activities usually occurs between the school nurse and the Public Health Office at the local level as well as with the Immunization Program at the state level. Schools may choose to become independent Vaccines for Children (VFC) providers and obtain vaccine for their school-based immunization clinics directly from the VFC supplier. Information on becoming a VFC provider can be obtained from the NM Immunization Program web site at <http://www.immunizenm.org/Provider/vacchild.shtml>

### **PHYSICIAN COVERAGE AND STANDING ORDERS**

School and community-based immunization projects supported by the NM DOH Immunization Program are considered Public Health clinics. As such, it is **not** required that a licensed physician be on the premises when immunizations are being administered. This clarification was issued by the NM Secretary of Health and DOH Chief Medical Officer in 1996. However, it is required that school VFC providers adhere to NM DOH Vaccine Protocol. Information can be found at <http://www.immunizenm.org/Provider/provider.shtml>. It is also suggested that the school nurse notify the local public health office, Regional Health Officer (RHO) or School Health Advocate when engaging in any school based immunization clinic activities.

See **Section XV** of this manual for the standing order for immunization administration issued by the Regional Health Officers and the Public Health Divisions Medical Director of the five Public Health Regions in New Mexico.

### **IMMUNIZATION DOCUMENTATION**

*NM VFC School Vaccination Administration Form* (in English and Spanish)  
<http://immunizenm.org/Provider/vfcforms.shtml>

School Immunizations forms are downloadable on the NM Immunization Programs web site for school nurses whose districts are VFC providers or are planning an immunization clinic through the Public Health Office. These forms, available in English and Spanish, can be used to obtain consent with one signature for multiple vaccines as well as providing documentation of vaccines administered. It may also be used to obtain information required for identifying and establishing immunization records in the NM Statewide Immunization Information System (NMSIIS). The form may be processed as follows for documentation purposes:

- For immunizations administered at any VFC clinic, staff trained in the use of NMSIIS is responsible for entering the information for vaccinations administered into the NMSIIS registry.
- The signed consent form can be held as part of the school health record.

### **IMMUNIZATION SCHEDULES AND CONSENT FORMS**

#### **NM School Immunization Requirements (K-12)**

#### **NM Immunization Requirements for Licensed Child Care Centers and Preschools**

[http://www.immunizenm.org/documents/2013-14NMSchoolIZRequirements\\_000.pdf](http://www.immunizenm.org/documents/2013-14NMSchoolIZRequirements_000.pdf)

#### **Recommended Childhood & Adolescent Immunization Schedule--United States**

<http://www.cdc.gov/vaccines/schedules/hcp/child-adolescent.html>

Summary of Recommendations for Childhood & Adolescent Immunizations

<http://www.cdc.gov/vaccines/pubs/ACIP-list.htm>

Summary of Recommendations for Adult Immunizations

<http://www.cdc.gov/vaccines/pubs/ACIP-list.htm>

School Immunization - Consent Form (English and Spanish)

<http://immunizenm.org/Provider/vfcforms.shtml>

## **PUBLIC HEALTH AUTHORITY FOR SCHOOL HEALTH OFFICES**

See resource page, Section IX of the School Health Manual, for the letter from NM Secretary of Health granting school health offices public health authorization in the exchange of immunization information.

## **VACCINE INFORMATION STATEMENTS (VIS)**

<http://www.cdc.gov/vaccines/pubs/vis/default.htm>

(English and Spanish)

- DPT
- DTaP
- Hepatitis A
- Hepatitis B
- Hib
- Influenza – Live Intranasal
- Influenza - Inactivated
- MMR
- Meningococcal
- Pneumococcal
- Polio
- Td
- Tdap
- Varicella
- 

## **FOREIGN LANGUAGE VACCINE-RELATED TERMS**

Interpreting Immunization records from Mexico

<http://www.cdc.gov/vaccines/schedules/downloads/child/binational-schedule-pr.pdf>

Interpreting immunization records from other countries refer to the *Pink Book* at:

<http://www.cdc.gov/vaccines/pubs/textbks-manuals-guides.htm>