

SENATE BILL 244

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Martin Hickey

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO IMMUNIZATION; ALLOWING A CHILD'S PARENT OR GUARDIAN TO FILE A CERTIFICATE FROM A HHHC → ~~Sf11~~ → ~~CERTIFIED NURSE PRACTITIONER~~ ← Sf11 ← Sf11 → ~~PROVIDER~~ ← Sf11 ← HHHC HHHC → ~~CERTIFIED NURSE PRACTITIONER~~ ← HHHC HHHC → ~~OR PHYSICIAN ASSISTANT~~ ← HHHC OR STATING THAT IMMUNIZATION WOULD BE DETRIMENTAL TO THE PHYSICAL CONDITION OF THE CHILD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

.219096.1AIC March 16, 2021 (8:45am)

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SECTION 1. Section 24-5-3 NMSA 1978 (being Laws 1959, Chapter 329, Section 3, as amended) is amended to read:

"24-5-3. EXEMPTION FROM IMMUNIZATION.--

A. Any minor child through [~~his~~] the child's parent or guardian may file with the health authority charged with the duty of enforcing the immunization laws:

(1) a certificate of a [~~duly~~] licensed

~~HHHC→Sfll→physician or a certified nurse practitioner←Sfll~~
~~Sfll→provider operating within the licensee's scope of~~
~~practice←Sfll←HHHC~~ ~~HHHC→physician~~ ~~HHHC→~~, a physician
~~assistant←HHHC~~ or a certified nurse practitioner←HHHC stating

that the physical condition of the child is such that immunization would seriously endanger the life or health of the child; [~~or~~]

(2) [~~affidavits~~] an affidavit or written affirmation from an officer of a recognized religious denomination that [~~such~~] the child's parents or guardians are bona fide members of a denomination whose religious teaching requires reliance upon prayer or spiritual means alone for healing; or

(3) [~~affidavits~~] an affidavit or written affirmation from [~~his~~] the child's parent or legal guardian that [~~his~~] the parent's or legal guardian's religious beliefs, held either individually or jointly with others, do not permit the administration of vaccine or other immunizing agent.

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B. Upon filing and approval of such certificate, [affidavits] affidavit or affirmation, the child is exempt from the legal requirement of immunization for a period not to exceed nine months on the basis of any one certificate, [affidavits] affidavit or affirmation."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2021.

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