

LFC Requester:	
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 9/29/25 *Check all that apply:*
Bill Number: _____ Original Correction
 Amendment Substitute

Sponsor: _____ **Agency Name and Code** HCA 630
Short Vaccine Final Draft **Number:** _____
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0	\$0	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
\$0	\$0	\$0	NA	NA

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$0	\$0	\$0	\$0	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: The bill amends Chapter 24, Article 5 related to immunizations to provide the New Mexico Department of Health authority to make immunization recommendations that differ from the federal Centers for Disease Control and Advisory Committee on Immunizations Practices (ACIP) guidelines. This authority will allow New Mexico to require state-regulated health insurers to provide coverage for vaccines not included in the ACIP schedule and beyond those covered under federal law. ACIP was created under the generic “advisory committee” provision found in 42 U.S.C. Section 217a rather than through express Congressional mandate. Therefore, ACIP recommendations are not mandatory and New Mexico’s ability to rely on its own vaccine recommendations is not pre-empted by any current federal laws.

This bill looks to move the State’s authority for vaccine recommendations from a passive role to an active role under the New Mexico Department of Health. This legislation offers the following changes to NM Statute

Section 24-5-1 IMMUNIZATION REGULATIONS:

- Requires DOH to consult with ECECD in addition to PED prior to promulgating rules for childhood vaccine requirements.
- Removes Advisory Committee on Immunizations Practices (ACIP) and Centralizes NM DOHs ability to recommend vaccines for children
- Adds new languages allowing NM DOH to recommend vaccines for adults

Section 24-5-2 UNLAWFUL TO ENROLL IN SCHOOL OR CHILD CARE PROGRAMS UNIMMUNIZED--UNLAWFUL TO REFUSE TO PERMIT IMMUNIZATION:

- Expands locations where it is unlawful to enroll a child without vaccinations to “child care programs” in addition to schools

Section 24-5A-2 DEFINITIONS:

- Removes ACIP from the definitions

Section 24-5A-3 STATEWIDE VACCINE PURCHASING PROGRAM

- Establish NM DOHs roles in recommending childhood vaccines (see Section 24-5-1)

Section 24-5A-5 AUTHORIZED USES OF THE VACCINE PURCHASING FUND:

- Establishes NM DOHs authority in recommending childhood vaccines (see Section 24-5-1)

59A-18-16.2. HEALTH INSURANCE OR HEALTH PLAN FORM AND RATE FILINGS--SUPERINTENDENT--RULEMAKING--COMPLIANCE WITH FEDERAL LAW:

- Establishes NM DOHs authority to recommending vaccines. These vaccines will not have

cost-sharing requirements

FISCAL IMPLICATIONS

There is no fiscal impact to the HCA.

While allowing NM DOH to make vaccine recommendations, the HCA does not expect any increased utilization of vaccines over historical norms.

SIGNIFICANT ISSUES

None for the HCA. The Medicaid State Plan, which determines the NM Medicaid benefit package, allows Medicaid to cover vaccines that are either 1) recommended by a physician or other licensed practitioner of the healing arts acting within their scope of practice or 2) recommended by ACIP. All changes listed in this bill still allow Medicaid to cover vaccines.

PERFORMANCE IMPLICATIONS

The bill will allow adults and children to continue to access vaccines deemed medically necessary by major professional organizations and the Department of Health reducing the risk of a new epidemic or public health emergency.

ADMINISTRATIVE IMPLICATIONS

The HCA may need to make changes to the New Mexico Administrative Code and issue guidance to providers and the managed care organizations (MCOs) regarding vaccine coverage. Medicaid will continue to participate in an interagency workgroup of clinical professionals across the agencies to provide clinical insight into statewide vaccine recommendations.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Absent action by the New Mexico Legislature, our state vaccine coverage could be vulnerable to federal changes beyond the state's control, leading to inconsistencies and public health risks that could be costly and risk additional burdens to our already overburdened healthcare system.

AMENDMENTS

None