

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 402

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

JAMES G. TAYLOR

AN ACT

RELATING TO IMMUNIZATIONS; AMENDING CERTAIN SECTIONS OF THE  
NMSA 1978 PERTAINING TO IMMUNIZATION REGULATIONS AND FUNDING;  
MAKING AN APPROPRIATION.

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

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

"24-5-1. IMMUNIZATION REGULATIONS. -- The [ ~~health~~  
~~services~~] public health division of the [ ~~health and~~  
~~environment~~] department of health shall, after consultation  
with the state board of education, promulgate rules and  
regulations governing the immunization against diseases deemed  
to be dangerous to the public health, to be required of  
children attending public, private, home or parochial schools  
in the state. The immunizations required and the manner and

Underscored material = new  
[bracketed material] = delete

Underscored material = new  
[bracketed material] = delete

1 frequency of their administration shall conform to [ ~~recognized~~  
2 ~~standard medical practice in the state~~] recommendations of the  
3 advisory committee on immunization practices of the United  
4 States department of health and human services and the  
5 American academy of pediatrics. The [ ~~health services~~] public  
6 health division shall supervise and secure the enforcement of  
7 the required immunization program "

8 Section 2. Section 24-5-5 NMSA 1978 (being Laws 1959,  
9 Chapter 329, Section 5, as amended) is amended to read:

10 "24-5-5. WHO MAY IMMUNIZE--WHO MUST PAY.--The  
11 immunization required by Chapter 24, Article 5 NMSA 1978 may  
12 be done by any licensed physician or by someone under his  
13 direction. If the parents are unable to pay, the immunization  
14 shall be provided by the [ ~~health services~~] public health  
15 division of the [ ~~health and environment~~] department of health.  
16 The department shall undertake every effort to obtain federal  
17 funding to implement the department's immunization program.  
18 No public health employee may receive any fee for immunization  
19 service if the service is compensated for by the [ ~~health~~  
20 ~~services~~] public health division. Local school boards may  
21 contribute toward the cost of materials and supplies for  
22 immunizations. "

23 Section 3. APPROPRIATION.--Fifty thousand dollars  
24 (\$50,000) is appropriated from the general fund to the  
25 department of health for expenditure in fiscal year 1999 for

Underscored material = new  
[bracketed material] = delete

1 the purpose of hiring an ombudsman to assist local governments  
2 and public school districts to seek additional funding for and  
3 enforcement of laws and regulations pertaining to the  
4 immunization of children. Any unexpended or unencumbered  
5 balance remaining at the end of fiscal year 1999 shall revert  
6 to the general fund.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
3  
4  
5

6 February 10, 1998  
7

8 Mr. Speaker:  
9

10 Your LABOR AND HUMAN RESOURCES COMMITTEE, to  
11 whom has been referred  
12

13 HOUSE BILL 402  
14

15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 APPROPRIATIONS AND FINANCE COMMITTEE.

18 Respectfully submitted,  
19  
20  
21

22 \_\_\_\_\_  
23 Sheryl M. Williams, Chairman  
24  
25

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998

3 Page 5

4 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

5  
6 (Chief Clerk)

(Chief Clerk)

7  
8 Date \_\_\_\_\_

9  
10 The roll call vote was 5 For 0 Against

11 Yes: 5

12 Excused: Gentry, Marquardt, Roberts

13 Absent: None

14  
15 G:\BILLTEXT\BILLW\_98\H0402

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
Underscored material = new  
[bracketed material] = delete

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998

3  
4 February 13, 1998  
5

6  
7 Mr. Speaker:

8  
9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
10 whom has been referred

11 HOUSE BILL 402

12  
13 has had it under consideration and reports same with  
14 recommendation that it DO PASS, amended as follows:

- 15
- 16 1. On page 1, lines 12 and 13, strike “; MAKING AN  
17 APPROPRIATION”.
  - 18 2. On pages 2 and 3, strike section 3 in its entirety.
  - 19 3. On page 2, line 12, after "any" strike the remainder of  
20 the line and on line 13, strike "direction" and insert in lieu  
21 thereof "health care provider who holds a license or certificate  
22 pursuant to state law that authorizes him to immunize".  
23
- 24  
25

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

Respectfully submitted,

\_\_\_\_\_  
Max Coll, Chairman

Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 12 For 0 Against

Yes: 12

Excused: Bird, Coll, Marquardt, Townsend, Vigil, Watchman

Absent: None

123407.1

G:\BILLTEXT\BILLW\_98\H0402

. 121901. 1

Underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

Page 8

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

February 17, 1998

Mr. President:

Your CORPORATIONS & TRANSPORTATION COMMITTEE, to  
whom has been referred

HOUSE BILL 402, as amended

has had it under consideration and reports same with  
recommmendation that it DO PASS.

Respectfully submitted,

---

Roman M. Maes, III, Chairman

. 121901. 1

Underscored material = new  
[bracketed material] = delete

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

Page 9

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 1 Against

Yes: 9

No: Robinson

Excused: None

Absent: None

H0402CT1

. 121901. 1

Underscored material = new  
[bracketed material] = delete