

CHAPTER NINE – IMMUNIZATION

New Mexico Immunization Law

[New Mexico \(NM\) Immunization Law](#) requires that all students be immunized against certain vaccine preventable communicable diseases. These requirements are determined by the NM Department of Health (NMDOH) in collaboration with the New Mexico Vaccine Advisory Committee (VAC) using recommendations from the national Advisory Committee on Immunization Practices (ACIP). The State's [NM Childcare/Pre-School/School Entry Immunization Requirements](#) are released annually.

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 twice a year. The first survey is a self-reporting survey submitted by all Public, Private and Charter Schools in New Mexico. This survey is reported to the New Mexico Immunization Program by November first of each year. The second survey is 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 up to date in accordance with the current [NM Childcare/Pre-School/School Entry Immunization Requirements](#) schedule, that student meets New Mexico immunization standards and may enroll in and attend school.

- 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. The student should not be enrolled until the records are received. If the student is up to date, according to [NM Childcare/Pre-School/School Entry Immunization Requirements](#), the student may be enrolled. 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 for the student to be enrolled in any Public, Private or Charter School in New Mexico. The only exception to this rule is if the child is certified as homeless or if the child's parent or guardian is active military. If either of these exceptions exist the student may be enrolled.

- Students, whose immunizations are not up-to-date but who have received all immunizations currently permissible by medical practice, are considered in process and they may be enrolled.

- For the student who is attempting to reach compliance but is behind on a vaccination series, s/he is no longer considered in process. The [CDC Catch-up Immunization Schedule](#) should be used to help assess what the student needs to become compliant. If the student is currently enrolled, disenrollment proceedings should be initiated immediately. When any student is kept out of school longer than five consecutive days for noncompliance, the school nurse must notify the local Regional Health Officer (RHO) for NMDOH. [Immunization Requirements](#)

- Children who are younger than five years of age and who attend childcare or early childhood development programs must comply with the [NM Childcare/Pre-School/School Entry Immunization Requirements](#).

- For immunization questions, some resources available are:
 - CDC’s Epidemiology and Prevention of Vaccine-Preventable Diseases – [The Pink Book](#)
 - NMDOH’s [Immunization – Rules, Regulations & Protocols](#)
 - The School Health Advocate (SHA) assigned to your respective Public Health Region
 - The local Public Health Office for your County

New Mexico Administrative Codes

Title 7	Health
Chapter 5	Vaccinations and Immunizations
Part 2	Immunization Requirements
Title 6	Primary & Secondary Education
Chapter 12	Public School Administration – Health and Safety
Part 2	Health Services– Immunizations of School Children

Exemptions From immunizations

Title 7	Health
Chapters 5	Vaccinations, and Immunizations.
Part 3	Exemption for school, childcare, and pre-school immunization

A student in New Mexico may be exempt from NM Department of Health (DOH) and NM Public Education Department (PED) immunization requirements by completing the [Exemption from Immunization Form](#). NM law does not grant immunization exemptions for philosophical or personal reasons.

Who may use the Exemption from Immunization Form?

- Individuals requesting a religious or medical exemption to immunization may use **this form**.
- This form must be used for all children with an exemption going into any public, **private or parochial preschool, kindergarten, elementary, secondary school, or home school and for children attending daycare or childcare facilities.**
- This form must **NOT** be used for exemption from immunization for personal or **philosophical reasons. New Mexico law does not allow for such exemption.**

How to Complete the Exemption from Immunization Form:

- Fill out all blank lines and check boxes, including the check boxes for the religious or medical options.
- For medical exemptions, attach the letter from your duly licensed physician to this form.
 - For religious exemptions using an affidavit (statement of fact), attach the affidavit to this form.
 - A notary public must sign the form.
 - Mail the form to the New Mexico Department of Health at the address shown on the form. You may also submit your form in a drop box at the Department of Health in Santa Fe (Runnels Building).

Department of Health Exemption from Immunization Form Processing:

- The Department of Health has 60 days from receipt of the Exemption from Immunization Form to either approve or disapprove the form. Make sure that the Department of Health receives the form at least 60 days prior to the day your child starts school.
- Upon approval, the Department of Health will mail you two copies of the approved form. The Parent/Guardian must take one copy of the approved form to your child's pre-school, school, daycare, or childcare facility.
- If your request is not approved, you will get a letter from the Department of Health telling you why your request was denied. You will also receive information on how to arrange for a meeting with the Department of Health should you wish to protest. [Exemption from Immunization Form](#)

New Mexico Immunization Exemption Law (24-5-3):

“Any minor child through his 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 physician 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 or written affirmation from an officer of a recognized religious denomination that such 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;

(3) Affidavits or written affirmation from his parent or legal guardian that his religious beliefs, held either individually or jointly with others, do not permit the administration of vaccine or other immunizing agent.”

NMAC 7.5.3:

“Within 60 days of receipt of a request for exemption from immunization, the department of health immunization program manager shall review the request to determine whether the certificate has been duly completed. Incomplete requests shall be returned to the requester with information regarding what elements are missing.” [Exemption for school, childcare, and pre-school immunization](#)

School and Community Based Immunization Clinics

School Kids Influenza Immunization project (SKIIP)

School nurses may be involved in assisting with or coordinating on-site school and community based immunization activities. Collaborating 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. One such immunization initiative offered each year is the [School Kids Influenza Immunization Project](#) (SKIIP).

Vaccine for Children Providers (VFC)

Several school districts in NM are Vaccine for Children Providers (VFC). This makes it easier for children to receive their scheduled immunizations and prevents parents from missing work time to take the child to the doctor. 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. [Vaccine for Children Program Provider Agreement](#) must be completed to start the process.

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 by a licensed nurse, pharmacist or EMT. This clarification was issued by the NM Secretary of

Health and DOH Chief Medical Officer in 1996. However, it is required that all School Nurses and School VFC providers follow the Regional Health Officers and the Public Health Divisions Medical Director Standing Order for Administration of Immunizations (Chapter 15) and the NM Department of Health [Immunization – Rules, Regulations & Protocols](#). 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.

Immunization Documentation

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. The forms, [School Immunization Consent Form - English](#) [School Immunization Consent Form - Spanish](#) must be used to obtain consent and provide documentation of vaccines administered. The consent was specially designed for schools so it may be used to consent to a series of vaccinations. The immunizations needed must be identified for the parents' or guardians' information. A Vaccine Information Statement (VIS), for each vaccination needed, must accompany the consent home. The VIS date should be filled out on the form as the date the sheets were sent home to the parent or guardian. The signed immunization consent will also be used as consent to enter students' information and establish an immunization record in the NM Statewide Immunization Information System known as NMSIIS. [VIS sheets](#) are downloadable on NMSIIS or at CDC.

New Mexico Statewide Immunization Information System

The New Mexico Statewide Immunization Information System (NMSIIS) is New Mexico's web-based registry of all vaccinations administered in New Mexico. NMSIIS should be the central depository for immunization records from birth to death. NMSIIS includes a school module that can be used to track a student's immunization history and track vaccine exemptions for the student population. All schools (public and private) using the NMSIIS school module can use it to produce reports needed for this mandatory school immunization compliance reporting. A [NMSIIS Guide for School Users](#) helps School Nurses effectively use NMSIIS.

Nurses who want to use NMSIIS must request access by completing the [NMSIIS Training Request Form](#). The PDF form must be fill out electronically. The most current Adobe program will be required to fill out the form electronically. All fields outlined in red are required and must be filled out before saving the document to a file on a computer.

After the form is completed “save as” with a unique name to a file on your computer, then hit the submit option and it will email to the appropriate person at the Immunization

Program. Training can now be done online or in person depending on what works best for the nurse.

Online training is through [NMDOH Global Classroom](#) at no charge to you. If you have never utilized the Global Classroom, you will need to self-register for an account. If utilizing the online course a NMSIIS Certificate of Training Completion document must be emailed along with the completed [NMSIIS User Security and Confidentiality Agreement](#) to Felicia.martinez2@state.nm.us.

It is now a State Law that all immunizations given in the State of NM must be entered into the NM Statewide Immunization Information System known as NMSIIS (Statute 24-5-8.,2013) The signed consent gives authorization from parent or guardian for this to occur. School Nurses may have access to NMSIIS and use it to look up records, enter records from school records and enter any immunizations that school nurses give during school immunization clinics. If collaborating with public health for a vaccine clinic the responsibility of entering the vaccine falls to public health.

24-5-8. Reporting. (2013)

“Physicians, nurses, pharmacists and other health care providers shall report on immunization to the immunization registry unless the patient, or the patient's guardian if the patient is a minor, refuses to allow reporting of this information.”

History: Laws 2004, ch. 45, § 3; 2005, ch. 45, §1; 2013, ch. 93, § 1.

Public Health Authority for School Health Offices State law requires NM Schools:

- Maintain records of student’s immunizations
- Make those records available to NMDOH
- Report immunization status on students to NMDOH
- Commence disenrollment proceeding on students who do not have satisfactory evidence of immunizations or valid exemption.

To accomplish this, NMDOH grants school nursing offices the authority under the Health Insurance Portability and Accountability Act (HIPAA) to serve as “[Public Health Authority](#)” to collect immunization information for school-aged children without a release of information from parents. This Public Health Authority Letter (See Resources) may be used as proof of this role. Some resources for school nursing offices to use to obtain immunization information include:

- NMSIIS
- Health care providers who give immunizations to children
- Immunization records supplied by parents

- Immunization records from other schools

Foreign Language Vaccine-Related Terms

Many immunization records come from outside the USA. Many are from Mexico and there are good resources to assist with [Interpreting Immunization records from Mexico.](#)

The [Pink Book Appendix B has foreign vaccine tables to assist with interpretations from other countries. The Pink Book can answer almost any question related to immunizations.](#)

References and Resources

[Center for Disease Control and prevention, \(CDC\).](#) 1600 Clifton Road Atlanta, GA 30329-4027 USA. 800-CDC-INFO (800-232-4636), TTY: 888-232-6348.

[CDC Catch-up Immunization Schedule](#)

[Center for Disease Control and prevention, \(CDC\).](#) 1600 Clifton Road Atlanta, GA 30329-4027 USA. 800-CDC-INFO (800-232-4636), TTY: 888-232-6348.

[Interpreting Immunization records from Mexico.](#)

[Center for Disease Control and prevention, \(CDC\).](#) 1600 Clifton Road Atlanta, GA 30329-4027 USA. 800-CDC-INFO (800-232-4636), TTY: 888-232-6348. [Email CDC-INFO](#)

[The Pink Book](#)

[Center for Disease Control and prevention, \(CDC\).](#) 1600 Clifton Road Atlanta, GA 30329-4027 USA. 800-CDC-INFO (800-232-4636), TTY: 888-232-6348.

[VIS sheets](#)

[For Parent: Vaccines for Your Children](#)

[Immunization – Rules, Regulations & Protocols](#)

[New Mexico Department of Health, Exemption from Immunization Form, June, 2017](#)

[NMDOH Global Classroom](#)

[NMDOH Childcare/Pre-School/School Entry Immunization Requirements](#)

New Mexico Administrative Code, Title 6.12.2., Primary and Secondary Education.

[Health Services– Immunizations of School Children](#)

New Mexico Administrative Code, Title 7.5.3., Health, Vaccinations, and Immunizations.

[Exemption for school, childcare, and pre-school immunization](#)

New Mexico Administrative Code, Title 7.5.2., Health, Vaccinations, and Immunizations.

[Immunization Requirements](#)

[NMSIIS Guide for School Users](#)

[NMSIIS Training Request Form](#)

[NMSIIS User Security and Confidentiality Agreement](#)

[No Shots? No Record? No School - Poster](#)

[Parent's Guide to Childhood Immunizations](#)

[Public Health Authority](#)

[School Immunization Consent Form - English](#)

[School Immunization Consent Form - Spanish](#)

[School Kids Influenza Immunization Project](#)

[Vaccine for Children Program Provider Agreement](#)

[Vaccine Storage & Handling Toolkit](#)