

NOTICE OF PUBLIC HEARING

The New Mexico Department of Health will hold a public hearing on the proposed adoption of revisions to rules 7.5.2 NMAC (Immunization Requirement), 7.5.3 NMAC (Exemption from School, Childcare, and Pre-School Immunization), and 7.5.4 NMAC (Vaccine Purchasing Fund), and a new rule, 7.5.6 NMAC (Adult Immunizations). The hearing will be held on Friday, June 5, 2026 at 9:00 a.m. via a live web-based video conference and via telephone. Members of the public who wish to submit public comment regarding the proposed rules will be able to do so via video conference or via telephone during the course of the hearing, and by submitting written comment.

The rules 7.5.2, 7.5.3, and 7.5.4 NMAC are being revised to remove various references to the Advisory Committee on Immunization Practices (ACIP), consistent with recent changes in NM statute at section 24-5-1, NMSA 1978, adopted via House Bill 156 in the 2026 regular legislative session. The rules are also being revised to insert new definitions, and to delete and modify various existing definitions.

Rule 7.5.2 NMAC is also being revised to specify that the Department of Health shall develop annual guidelines establishing immunizations required for children, in consultation with PED and ECECD.

Rule 7.5.3 NMAC is also being revised, at section 8, to authorize a designee of the Public Health Division Director to receive exemption requests on behalf of the agency.

Rule 7.5.4 NMAC is also being revised to specify in various passages that vaccines that are purchased, stored, and distributed to children through the NM Vaccine Purchase Fund are vaccines that are recommended by the Department of Health.

Rule 7.5.6 NMAC is a proposed new rule concerning recommendations by the Department of Health regarding immunizations for adults residing in New Mexico, including recommended manner and frequency of administration; review and updates to the recommendations; and Department consideration of evidence-based guidance from ACIP and the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, and the Vaccine Integrity Project.

The purpose of the proposed rules is to implement the NM Immunization Act, sections 24-5-1 through -15, NMSA 1978.

The legal authority authorizing the adoption of these rules by the Department are the Department of Health Act, subsection E of section 9-7-6 NMSA 1978, which authorizes the secretary of the department of health to "...make and adopt such reasonable and procedural rules and regulations as may be necessary to carry out the duties of the department and its divisions"; and the Immunization Act at section 24-5-1, NMSA 1978, which requires that the Department of Health "promulgate rules governing the immunization against diseases deemed to be dangerous to the public health, to be required of children attending licensed child care and licensed early childhood care programs and public, private, home or parochial schools in the state", and "promulgate rules governing the immunization against diseases deemed to be dangerous to the public health, to be recommended for adults residing in the state."

A free copy of the full text of the proposed rule can be obtained online from the New Mexico Department of Health's website at <http://nmhealth.org/about/asd/cmo/rules/> or by contacting the Department using the contact information below.

The public hearing will be conducted to receive public comment on the proposed rule. Any interested member of the public may attend the hearing and may submit data, views, or arguments on the proposed rule either orally or in writing during the hearing.

The hearing will be held on June 5, 2026 via the Microsoft Teams online web conference platform.

To access the hearing via the Internet: please go to <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> and then enter the following meeting i.d. code and passcode where indicated on the screen: meeting i.d. code 262 970 165 142 192 and passcode x6bk3qp3 and then click the “Join a meeting” button.

To access the hearing by telephone: please call 1-505-312-4308 and enter phone conference i.d. 710 187 354#

All comments will be recorded.

Written public comment regarding the proposed rule can be submitted either by e-mail to Jacob Clark at jacob.clark@doh.nm.gov, or by U.S. postal mail to the following address:

Jacob Clark
NMDOH OGC
P.O. Box 26110
1190 St. Francis Dr., Suite N-4095
Santa Fe, NM 87502-6110

Written comments must be received by the close of the public rule hearing on June 5, 2026. All written comments will be published on the agency website at <https://www.nmhealth.org/about/asd/cmo/rules/> within 3 days of receipt, and will be available at the New Mexico Department of Health for public inspection.

If you are an individual with a disability and need special assistance or accommodation to attend or participate in the hearing, please contact Jacob Clark by telephone at (505) 827-2997. The Department requests at least ten (10) days’ advance notice to provide special accommodation.