



# State of New Mexico

Michelle Lujan Grisham  
*Governor*

## EXECUTIVE ORDER 2022-009

### **RENEWING AUTHORIZATION IN EXECUTIVE ORDER 2021-059 TO THE SECRETARY OF THE DEPARTMENT OF HEALTH TO ESTABLISH CREDENTIALING AND APPROVAL OF STATE CREDENTIALLED PHYSICIANS AND CREDENTIALLED ADVANCED PRACTICE CLINICIANS IN RESPONSE TO MEDICAL STAFF SHORTAGES**

**WHEREAS**, on January 30, 2020, the World Health Organization announced the emergence of a novel Coronavirus Disease 2019 (“COVID-19”) that had not previously circulated in humans, but has been found to have adapted to humans such that it is contagious and easily spread from one person to another and one country to another;

**WHEREAS**, COVID-19 has been confirmed in New Mexico since March 11, 2020, when the New Mexico Department of Health confirmed the first cases of individuals infected with COVID-19 in New Mexico and additional cases have been confirmed each day since then;

**WHEREAS**, on March 11, 2020, because of the spread of COVID-19, I issued Executive Order 2020-004 declaring that a Public Health Emergency exists in New Mexico under the Public Health Emergency Response Act, and invoked my authority under the All Hazards Emergency Management Act;

**WHEREAS**, I have renewed and extended the public health emergency declared in Executive Order 2020-004 most recently in Executive Order 2022-004;

**WHEREAS**, the public health emergency declaration is likely to be extended and renewed on an ongoing basis for the foreseeable future;

**WHEREAS**, surges in cases of COVID-19 and deaths related to COVID-19 continue to proliferate due to more transmissible and deadly variants of the virus;

**WHEREAS**, as of February 10, 2022, the New Mexico Department of Health reported over 490,000 confirmed cases of COVID-19 in New Mexico and 6,500 related deaths;

**WHEREAS**, the limitations posed on non-medically necessary procedures in the past and the hesitance of the general public to seek preventative and routine medical care during the pandemic has resulted in a significant subsequent increase in non-COVID related patients seeking medical care, forcing acute care facilities in the state to expand far beyond normal capacity;

**WHEREAS**, New Mexico is in the midst of an urgent medical crisis which has strained the ability of both institutional and individual providers to deliver the quality of care New Mexicans due to the ongoing COVID-19 pandemic;

**WHEREAS**, the State is continuing to experience a drastic shortage in the number of acute care medical providers available as a result of high patient censuses and fatigue;

**WHEREAS**, this crisis and shortage of medical professionals has created extraordinary medical circumstances, and it will require providers to change their normal perspective to a crisis perspective;

**WHEREAS**, many providers may need to provide care within the scope of practice of their license but beyond their normal scope or practice to assist patients in acute care hospital facilities throughout the state;

**WHEREAS**, due to the nature of the public health emergency and the impact on medical resources, the State has convened a Medical Advisory Team of experts in health, ethics, and law to, *inter alia*, address best practices in the treatment and care of New Mexicans suffering from COVID-19;

**WHEREAS**, the Medical Advisory Team notified the Secretary of Health on October 15, 2021, November 16, 2021 and during the weeks of December 17, 2021 and January 14, 2022 that acute care medical staffing conditions for the possible implementation of “crisis standards of care” are present within the State, and that it was appropriate to apply crisis standards of care in some acute care hospital settings;

**WHEREAS**, if crisis standards of care are implemented, healthcare professionals may be asked to assist in in areas outside their scope of practice to provide medical care in a acute care hospital setting, or as a triage officer or member of a triage board with respect to the treatment decisions related to the care of a patient;

**WHEREAS**, the Medical Advisory Team notified the Secretary of Health this week that the acute care medical staffing conditions requiring the implementation of crisis standards of care are still present in New Mexico; and

**WHEREAS**, for these reasons, I find that it is necessary to continue to invoke provisions of the All Hazards Emergency Management Act and Emergency Licensing Act to ensure physicians will not hesitate to respond and provide necessary assistance if crisis standards of care are brought into effect.

**NOW, THEREFORE, I**, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution, the All Hazards Emergency Management Act, and the laws of the State of New Mexico do hereby **ORDER** and **DIRECT** as follows:

1. The directives issued to the New Mexico Department of Health proclaimed in Executive Order 2021-059 shall be renewed and extended through March 11, 2022.

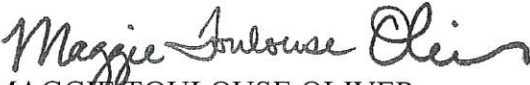
2. All other powers, directives, and orders invoked in Executive Order 2021-059 remain in effect.

**I FURTHER ORDER and DIRECT** as follows:

1. This Order supersedes any previous orders, proclamations, policies, or directives to the extent they are in conflict.

2. This Order shall take effect on February 11, 2022, and shall remain in effect until March 11, 2022.

ATTEST:

  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE  
THIS 11TH DAY OF FEBRUARY 2022

WITNESS MY HAND AND THE GREAT  
SEAL OF THE STATE OF NEW MEXICO

  
MICHELLE LUJAN GRISHAM  
GOVERNOR

