



Office of the Governor

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March 25, 2020

Preserving personal protection equipment is goal of two new health orders

SANTA FE – Gov. Michelle Lujan Grisham on Wednesday announced two public health orders that will protect New Mexico’s supply of the personal protective equipment health care workers need to stay safe during the COVID-19 crisis.

One order prohibits non-essential health services, defined as services that can be delayed for three months without undue risk to the patient’s health. Eliminating non-essential medical procedures will slow the use of personal protective gear. Read it [here](#).

The second order prohibits health care providers and wholesale medical suppliers from selling or otherwise distributing personal protective equipment without prior approval from the New Mexico Department of Health. Read it [here](#).

Health care providers and wholesale medical suppliers must provide the Health Department with an inventory of their personal protective gear within three days.

“We’re going to do everything we can – everything – to protect those on the front line of this war against COVID-19,” Gov. Lujan Grisham said. “The doctors, nurses and others who are testing and treating these patients must be properly equipped; we owe them that. I have to make sure that if you need hospital care, we’re ready. And as we work to get more equipment from the federal government we’re going to take steps to protect and judiciously use the resources we have now.”

Both orders were issued by New Mexico Department of Health Secretary Kathy Kunkel; both take effect Wednesday, March 25, and both continue until the governor rescinds them.

The order banning non-essential health services applies to hospitals and other health care facilities, including ambulatory surgical centers, and dental, orthodontic and endodontic offices. It does not include emergency care, surgery or other treatments that

would result in a serious condition getting worse, or the full suite of family planning services.

Each health care provider has three days to submit to the Health Department a policy addressing how it will comply and identifying procedures deemed essential and non-essential.

Both orders include civil administrative penalties, including fines up to \$5,000 per violation, for willful violation, in addition to other civil or criminal penalties that may be available.

Rapid growth of the COVID-19 pandemic exhausted the supply of personal protective gear at many health care facilities and depleted state stockpiles as well. The federal government maintains the Strategic National Stockpile, a federal repository of drugs and medical supplies that can be tapped if a public health emergency could exhaust local supplies, but when New Mexico recently requested its full allotment, the state initially received only 25 percent, and the equipment that arrived was in poor condition.

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