



Office of the Governor

**MICHELLE LUJAN GRISHAM**

**FOR IMMEDIATE RELEASE**

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## **Gov. Lujan Grisham takes action to safeguard abortion access, protect New Mexico health care providers**

SANTA FE – Gov. Michelle Lujan Grisham on Monday signed an executive order protecting access to reproductive health care services in New Mexico, protecting medical providers from attempts at legal retribution and establishing that New Mexico will not entertain extradition attempts from other states relating to receiving or performing reproductive services.

“Today we have once again declared that we will take every available action to protect the rights and access to health care of anyone in New Mexico,” said **Gov. Lujan Grisham**. “As long as I am governor, abortion will continue to be legal, safe, and accessible in New Mexico.”

The executive order enacted today protects health care providers from discipline due to an out-of-state resident receiving abortion services in New Mexico; makes clear that the state will not cooperate with extradition attempts from other states where criminal charges are being pursued against an individual for receiving or performing reproductive services; and prohibits state agencies from cooperating in another state’s investigation into a person or other entity for receiving or delivering reproductive services.

Two other states, Minnesota and Massachusetts, have recently taken similar executive action.

In 2021, Gov. Lujan Grisham enacted legislation repealing an antiquated state law that would have criminalized abortion providers upon the overturning of *Roe v. Wade*, ensuring continued abortion access throughout New Mexico and safeguarding the right of every New Mexican to make critical decisions about their own health and to decide for themselves and their families when to have children. The governor’s statement on the U.S. Supreme Court opinion in *Dobbs v. Jackson Women’s Health Organization* can be found [here](#).

The text of the executive order in its entirety is attached.

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# State of New Mexico

Michelle Lujan Grisham  
Governor

## EXECUTIVE ORDER 2022-107

### PROTECTING ACCESS TO REPRODUCTIVE HEALTH CARE SERVICES IN NEW MEXICO

**WHEREAS**, the United States Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* overturns almost 50 years of precedent regarding the federal right to reproductive health care services;

**WHEREAS**, the right to reproductive health care services is essential to a woman's autonomy, dignity, and equality in our society;

**WHEREAS**, despite the *Dobbs* decision robbing women in this country of the right to make decisions regarding their own bodies, the fundamental right to reproductive health care services remains protected in New Mexico;

**WHEREAS**, New Mexico has recently implemented additional measures to protect reproductive rights and access to reproductive health care services such as repealing an antiquated state statute criminalizing abortion;

**WHEREAS**, other States have adopted laws that drastically limit or prohibit access to abortion and other reproductive health care services and may continue to enact laws which impose civil or criminal liability or professional sanctions on health care professionals who provide services to patients;

**WHEREAS**, these efforts to restrict access to reproductive health care services from other States may lead more individuals to seek services from New Mexico health care providers;

**WHEREAS**, the loss of freedom to people around the nation poses an imminent threat to the health and safety of New Mexicans to the extent other States may seek to infringe on the right to reproductive health care services; and

**WHEREAS**, New Mexico is committed to protecting patients seeking and obtaining reproductive health care services as well as health care providers lawfully providing reproductive health care services from legal liability or professional sanctions under the laws of other States.

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

1. For the purposes of this Order, the terms listed below shall have the following meanings:

a. “Reproductive health care services” includes all medical, surgical, counseling, or referral services relating to the human reproductive system, including, but not limited to, services relating to pregnancy, contraception, or the termination of a pregnancy;

b. “Executive State Agency” includes the Office of the Governor, any executive agency, as listed in Chapter 9 of the New Mexico Statutes Annotated, and any agency, bureau, department, office, or division of the State within or reporting to an executive agency.

2. **No assistance from Executive State Agencies.** Except as required by the order of a court of competent jurisdiction, no Executive State Agency and no employee, appointee, officer, or other person acting on behalf of any Executive State Agency may provide any information or expend or use time, money, facilities, property, equipment, personnel or other resources in

furtherance of any investigation or proceeding initiated in or by another State that seeks to impose civil or criminal liability or professional sanction upon a person or entity for:

- a. the provision, securing, or receiving of, or any inquiry concerning reproductive health care services that are legal in New Mexico; or
- b. any assistance given to any person or entity that relates to the provision, securing, receiving of, or any inquiry concerning reproductive health care services that are legal in New Mexico.

This restriction shall not apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional sanction under New Mexico law if committed in this State. Notwithstanding the general prohibition of this section, Executive State Agencies and individuals acting on their behalf may provide information or assistance in connection with such an investigation or proceeding in response to the written request of a person who is the subject of such an investigation or proceeding.

**3. Protection of Health Care and Other Professionals Licensed in New Mexico.** The Superintendent of the Regulation and Licensing Department is directed to work with the boards of professional licensure operating under the Department's respective supervision to implement policies that will ensure that no person shall be disqualified from licensure or subject to discipline by a New Mexico board of professional licensure for providing or assisting in the provision of reproductive health care services or as a consequence of any judgment, discipline, or other sanction threatened or imposed under the laws of another State so long as the services as provided would have been lawful and consistent with standards for good professional practice in New Mexico. The

Superintendent shall report to me on measures implemented by the boards under their supervision within 45 days of this Order.

4. **Unavailability of Interstate Extradition.** Notwithstanding the provisions of NMSA 1978, Sections 31-4-1 to -31 (1937), the Office of the Governor shall decline any request received from the executive authority of any other State to issue a warrant for the arrest or surrender of any person charged with a criminal violation of a law of that other State where the violation alleged involves the provision or receipt of or assistance with reproductive health care services unless the acts forming the basis of the prosecution of the crime charged would also constitute a criminal offense under the laws of the State of New Mexico. Consistent with the requirements of the United States Constitution, this limitation shall not apply in the circumstance where the person who is the subject of the request for arrest or surrender was physically present in the requesting State at the time of the commission of the alleged offense and thereafter fled from that State.

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

1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.
2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

ATTEST:

MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE  
THIS 27TH DAY OF JUNE 2022

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

MICHELLE LUJAN GRISHAM  
GOVERNOR

