

**This is an emergency amendment to 7.27.11 NMAC, Sections 12, effective 3/26/2020.**

**7.27.11.12 COVID-19 public health emergency; approved deviations from EMS rules:** On March 11, 2020, New Mexico Governor Michelle Lujan Grisham issued executive order 2020-004 pursuant to the Public Health Emergency Response Act, Subsection A of Section 12-10A-5, NMSA 1978, declaring a state of public health emergency concerning the spread of the novel coronavirus disease named COVID-19. In accord with 7.27.11.2 NMAC, the department of health finds that this public health emergency stresses the emergency medical services system and disrupts delivery of medical services. Consistent with the authority of the emergency medical systems bureau pursuant to the Emergency Medical Services System Act at Section 24-10B-1 through -13, NMSA 1978, the department hereby authorizes deviations from the department's emergency medical services rules, found in New Mexico Administrative Code, Title 7, Chapter 27 ("EMS rule"), during the pendency of the COVID-19 public health emergency, including but not limited to deviations from the emergency medical technician scopes of practice, as permitted herein.

**A. Procedure:** A person who wishes to request a deviation from an EMS rule of the department of health shall contact the EMS bureau and shall provide:

- (1) the department EMS rule at issue;
- (2) factual information relevant to the requested deviation; and
- (3) such additional information as the bureau may request.

**B. Approval and denial:** The bureau may approve or deny a requested deviation from an EMS rule of the department within its discretion. Any such determination may be rendered by the emergency medical systems bureau chief or his or her designee, or by the state emergency medical systems medical director or his or her designee.

**C. Expiration of approved deviation:** An approved deviation from EMS rule shall expire upon either termination of the declared public health emergency or rescission by the bureau, whichever occurs first.  
[7.27.11.12 NMAC – N/E, 3/26/2020]