



MICHELLE LUJAN GRISHAM
Governor

DAVID R. SCRASE, M.D.
Acting Cabinet Secretary

**PUBLIC HEALTH ORDER
NEW MEXICO DEPARTMENT OF HEALTH
ACTING SECRETARY DAVID R. SCRASE, M.D.**

December 1, 2022

**Declaration of Respiratory Syncytial Virus as a
Condition of Public Health Significance**

PREFACE

The purpose of this Order is to declare respiratory syncytial virus (“RSV”) a condition of public health significance and notify the public of the current public health emergency caused by an increase in RSV cases. This Order is further intended to advise the public about precautions that should be taken to decrease the spread of RSV to decompress the current burden on the State’s hospital systems.

WHEREAS, in October of 2022, the state saw a significant increase in RSV cases, in addition to an increase in cases associated with COVID-19, influenza, and other respiratory illnesses;

WHEREAS, as of November 19, 2022, the State is experiencing “very high” levels of influenza-like-illness activity as documented by the Centers for Disease Control and Prevention’s weekly influenza summary update (<https://www.cdc.gov/flu/weekly/usmap.htm>);

WHEREAS, there is currently no vaccine available to address RSV;

WHEREAS, as a result of low healthcare staffing caused by the two-year COVID-19 Pandemic, the state now has a shortage of pediatric providers, including doctors, nurses, respiratory therapists available to serve the State’s hospital systems;

WHEREAS, hospital systems are currently experiencing a shortage in both hospital bed availability and critical resources, such as oxygen supply systems, endotracheal tubes, and pediatric oxygen converter kits, necessary to respond to the increase in RSV cases;

WHEREAS, the transportation of patients to appropriate levels of care within the state remains a critical issue with the increase in RSV cases;

WHEREAS, during the COVID-19 Pandemic, the state successfully activated and utilized the “hub and spoke” model of patient triage that allowed hospital systems to work cooperatively to expedite the transfer of patients to higher levels of care based on their given acuity levels;

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WHEREAS, based on the shortage of staff and resources necessary to respond to the present increase of illness in the state, it is of critical importance that the state’s hospital systems once again come together under a “hub and spoke” model of patient triage;

WHEREAS, the use of masks during the COVID-19 Pandemic was shown to reduce exposure and transmission of pathogens;

WHEREAS, the protection of our most vulnerable New Mexicans, including those who are immune compromised or have other pre-existing conditions that place them at high risk for serious COVID-illness or RSV, remains of paramount importance; and

WHEREAS, the New Mexico Department of Health (“NMDOH”) may recognize conditions of public health significance that are dangerous to public health and safety and take such measures deemed necessary and proper for the protection of the public health pursuant to Section 7.4.3.9 NMAC; the Public Health Act, NMSA 1978, Sections 24-1-1 to -40; and the Department of Health Act, NMSA 1978, Sections 9-7-1 to -18.

NOW, THEREFORE, I, David R. Scrase, M.D., Acting Secretary of the New Mexico Department of Health, do hereby declare the current outbreak of RSV a condition of public health significance, as defined in Section 7.4.3.7.D NMAC, as a condition dangerous to public health and safety and poses an imminent threat of substantial harm to the population of New Mexico.

ORDER

I HEREBY DIRECT AS FOLLOWS:

(1) All New Mexico hospital systems are directed to work cooperatively to activate the “hub and spoke” model of patient triage to ensure patients are transferred to appropriate levels of care based on acuity.

(2) The Department of Health’s Division of Health Improvement is instructed to submit any waivers necessary to the Centers for Medicare and Medicaid Services to approve bed capacity expansion and any other measures necessary by hospitals to treat the increase in RSV cases.

(3) Children who experience symptoms of RSV are advised to stay home from school and daycare settings and take appropriate precautions to prevent the transmission of illness in accordance with guidance issued by the Centers for Disease Control (<https://www.cdc.gov/rsv/index.html>).

(4) It is recommended that New Mexican families exercise additional precautions this holiday season to prevent transmission of RSV, including wearing masks when in indoor public settings and refraining from meeting with friends and family when experiencing respiratory disease symptoms.

(5) New Mexican families are strongly encouraged to obtain vaccinations and boosters for influenza and COVID-19 to prevent additional illness.

(6) The New Mexico Department of Health's Medical Advisory Team is instructed to monitor oxygen supplies within the State and address any supply shortages.

I FURTHER DIRECT as follows:

(1) This Order shall be broadly disseminated in English, Spanish, and other appropriate languages to the citizens of the State of New Mexico.

(2) This Order shall take effect immediately and remain in effect until amended or rescinded by the Secretary.

DONE AT THE EXECUTIVE OFFICE
THIS 1ST DAY OF DECEMBER, 2022



DAVID R. SCRASE, M.D.
ACTING SECRETARY OF THE
NEW MEXICO DEPARTMENT OF HEALTH