

**CHAPTER 24. HEALTH AND SAFETY**  
**ARTICLE 5. IMMUNIZATION**

**N.M. Stat. Ann. § 24-5-1 (2007)**

**§ 24-5-1. Immunization regulations**

The public health division of the department of health shall, after consultation with the state board of education, promulgate rules and regulations governing the immunization against diseases deemed to be dangerous to the public health, to be required of children attending public, private, home or parochial schools in the state. The immunizations required and the manner and frequency of their administration shall conform to recommendations of the advisory committee on immunization practices of the United States department of health and human services and the American academy of pediatrics. The public health division shall supervise and secure the enforcement of the required immunization program.

**N.M. Stat. Ann. § 24-5-2 (2007)**

**§ 24-5-2. Unlawful to enroll in school unimmunized; unlawful to refuse to permit immunization**

It is unlawful for any student to enroll in school unless he has been immunized, as required under the rules and regulations of the health services division of the health and environment department [department of health], and can provide satisfactory evidence of such immunization. Provided that, if he produces satisfactory evidence of having begun the process of immunization, he may enroll and attend school as long as the immunization process is being accomplished in the prescribed manner. It is unlawful for any parent to refuse or neglect to have his child immunized, as required by this section, unless the child is properly exempted.

**N.M. Stat. Ann. § 24-5-3 (2007)**

**§ 24-5-3. Exemption from immunization**

A. Any minor child through his parent or guardian may file with the health authority charged with the duty of enforcing the immunization laws:

- (1) a certificate of a duly licensed physician stating that the physical condition of the child is such that immunization would seriously endanger the life or health of the child;  
or
- (2) affidavits or written affirmation from an officer of a recognized religious denomination that such child's parents or guardians are bona fide members of a denomination whose religious teaching requires reliance upon prayer or spiritual means alone for healing; or
- (3) affidavits or written affirmation from his parent or legal guardian that his religious

beliefs, held either individually or jointly with others, do not permit the administration of vaccine or other immunizing agent.

B. Upon filing and approval of such certificate, affidavits or affirmation, the child is exempt from the legal requirement of immunization for a period not to exceed nine months on the basis of any one certificate, affidavits or affirmation.