



**New Mexico Regulation and Licensing Department
Board of Pharmacy**

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DATE: July 21, 2022

RE: Board Position, State of New Mexico Executive Order 2022-107, Protecting Access to Reproductive Health Care Services in New Mexico, June 27, 2022

WHEREAS, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested by the Constitution and the laws of the State of New Mexico **ORDERED** and **DIRECTED** through **Executive Order 2022-107** (“the Order”) as follows, in part:

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.

The Order further directed implementation of policies to 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.

It is the intent of the NM Board of Pharmacy (“the Board”) to comply with the provisions of the Order, as applicable, including, but not limited to the provisions cited herein. Consistent with the Order,

the Board declares it does not intend to take action against a licensee for the provision of pharmaceutical care involving or related to reproductive health care, including but not limited to filling of prescriptions for hormonal contraception, abortion, and emergency contraception, so long as the services as provided were lawful and consistent with standards for good professional practice in New Mexico.