



## **RESOLUTION ON NURSING PRACTICE AMID CRISIS STANDARDS OF CARE**

WHEREAS, the President of the United States has declared a Public Health Emergency in light of the COVID-19 virus and pandemic;

WHEREAS, the Governor of the State of New Mexico declared a public health emergency in the State of New Mexico, effective March 11, 2020, and has since issued subsequent Executive Orders designed to slow the spread of the COVID-19 virus and, pursuant to such Executive Orders and the Public Health Emergency Response Act, has issued various Public Health Orders that are also designed to slow the spread of the COVID-19 virus;

WHEREAS, despite these Executive and Public Health Orders, the COVID-19 virus continues to spread and is currently spiking in New Mexico and the level of hospitalizations at New Mexico hospitals is approaching and in certain hospitals has reached “Crisis Standards of Care,” as defined by the New Mexico Department of Health;

WHEREAS, New Mexico’s “hub” hospitals have each mobilized their health care workforce to a level that calls on each health care provider to be present and treating patients, even outside the context of their medical or nursing specialties in which they typically practice;

WHEREAS, the COVID-19 pandemic requires the services of New Mexico’s nursing community to the maximum extent permitted by law, including the Nursing Practice Act, NMSA 1978, Sections 61-3-1 to -30 (1968, as amended through 2019); and

WHEREAS, the New Mexico Board of Nursing believes it is important to take every step possible to support the herculean efforts of the New Mexico healthcare workforce in providing care to New Mexicans:

NOW, THEREFORE, BE IT RESOLVED:

For the duration of the current public health emergency, it shall not be considered a violation of any applicable rule or regulation governing the scope of practice for nursing or unprofessional conduct for the organized health care staff, acting by and through its medical staff executive committee, to authorize and direct the certified nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, registered nurses, and licensed practical nurses to serve as COVID-19 providers and provide health care services to all patients of the hospital where they serve even though the provision of those services may be outside of each such COVID-19 provider’s normal practice or customary clinical privileges.

During the period in which the public health emergency remains in effect, to extent that the persons and health facilities designated or listed as “COVID-19 providers” determine to adopt or implement the Crisis Standards of Care, such Crisis Standards of Care can and should be considered by such providers and health facilities designated as COVID-19 providers as “generally accepted health-care standards” for purposes of the New Mexico Uniform Health-Care Decisions Act, NMSA 1978, Sections 24-7A-9 & 24-7A-13D.

As approved by vote of a quorum of the Board this 10th day of December, 2020, this Resolution is hereby ADOPTED.

/s/ Jonathan Palmer  
Jonathan Palmer, Chair  
New Mexico Board of Nursing

12/10/2020  
Date

*Electronic signature authorized via  
email authorization dated 12/10/2020*