
**PUBLIC HEALTH ORDER
NEW MEXICO DEPARTMENT OF HEALTH
SECRETARY PATRICK M. ALLEN**

OCTOBER 17, 2024

**Increase Syphilis Screening in All Pregnant People and Adults Ages 18 to 50 to Prevent
Congenital Syphilis**

WHEREAS syphilis passed from mother to child, known as congenital syphilis, presents a major public health threat because it can lead to serious birth defects, miscarriage, and infant death;

WHEREAS, the number of reported cases of primary and secondary syphilis and reported cases of congenital syphilis have increased steadily in the United States since 2013, and the Centers for Disease Control and Prevention (CDC) ranked New Mexico as the state with the highest rate of congenital and 2nd highest rate of primary/secondary syphilis (2022 data);¹

WHEREAS, in 2022, the US congenital syphilis rate was 102.5 cases per 100,000 live births (210% increase from 2018). In 2022, the NM congenital syphilis rate was 355.3 per 100,000 live births (777% increase from 2018)¹. In 2023, the New Mexico Department of Health reported 91 cases of congenital syphilis (20% increase from 2022 and 810% increase in the last 5 years)². In 2023, there were 16 fetal demises and one infant death related to congenital syphilis reported to the NM Department of Health;

WHEREAS, syphilis is a notifiable disease in New Mexico that is required to be reported to the New Mexico Department of Health Sexually Transmitted Disease Program within 24 hours pursuant to the Section 7.4.3.13 of the New Mexico Administrative Code;

WHEREAS, congenital syphilis is preventable with timely testing and treatment of the pregnant person;

WHEREAS, pregnant people are required to be tested for syphilis at their first prenatal examination pursuant to NMSA 1978, Section 24-1-10;

WHEREAS, the CDC recommends syphilis testing be repeated during the third

¹ [Tables \(cdc.gov\)](https://www.cdc.gov)

² [Sexually Transmitted Diseases Surveillance Report 2023](#)

trimester (at 28-32 weeks gestational age) and at the time of delivery in people who are at high risk for syphilis or live in areas with high rates of syphilis. Given high syphilis rates statewide in New Mexico, this testing at the first prenatal visit, during the third trimester, and at the time of delivery is the best practice in all regions of the state based on these CDC guidelines³;

WHEREAS, two in five infants with congenital syphilis were born to people who did not receive any prenatal care⁴. Therefore, it is important to make any health care encounter during pregnancy—including those in emergency departments, urgent care centers, jails, and maternal and child health programs—an opportunity to screen for syphilis.

WHEREAS, the CDC and the US Preventive Services Task Force recommends syphilis screening for people who are at high risk for syphilis or live in areas with high rates of syphilis⁵. Given high syphilis rates statewide across New Mexico, screening adults ages 18 – 50 is the best practice in all regions of the state;

WHEREAS, on October 16, 2023, the NM Department of Health issued a renewed Public Health Order recognizing congenital syphilis as a condition of public health importance and advised medical practitioners on additional screening recommendations for both pregnant people and non-pregnant adults ages 18 – 50; and

WHEREAS, the NM Department of Health is renewing this PHO in order to increase awareness of syphilis and to increase screening of both adults ages 18 – 50 and pregnant persons to decrease rates of syphilis in all regions of the state.

NOW, THEREFORE, I, Patrick M. Allen, Cabinet Secretary of the New Mexico Department of Health, in accordance with the authority vested in me pursuant to NMSA 1978, Section 9-7-6(B)(5), do hereby declare that the rise in congenital syphilis within New Mexico constitutes a condition of public health importance as defined in NMSA 1978, Section 24-1-2(A) of the New Mexico Public Health Act that presents a public health threat that is identifiable on an individual or community level and can reasonably be expected to lead to adverse health effects in the community.

IT IS THEREFORE ORDERED THAT:

1. All medical practitioners shall ensure the following testing upon consent of the patient:
 - a. Adults aged 18 to 50 should be screened at least once in the next 12 months, or more often as recommended based on individual risk or pregnancy status.

³ [STI Screening Recommendations \(cdc.gov\)](https://www.cdc.gov/sti/screening-recommendations)

⁴ [Syphilis in Babies Reflects Health System Failures | VitalSigns | CDC](https://www.cdc.gov/vitalsigns/syphilis-in-babies)

⁵ [Recommendation: Syphilis Infection in Nonpregnant Adolescents and Adults: Screening | United States Preventive Services Taskforce \(uspreventiveservicestaskforce.org\)](https://www.uspreventiveservicestaskforce.org/recommendation-syphilis-infection-in-nonpregnant-adolescents-and-adults-screening)

- b. Syphilis testing for all pregnant people in their first trimester (or initial prenatal visit).
- c. Syphilis testing for all pregnant people in their 3rd trimester (between 28-32 weeks gestational age).
- d. Syphilis testing for all pregnant people at delivery.
- e. Syphilis testing for all pregnant people who present to an urgent care center or an emergency room if the patient has not received prior prenatal care.
- f. Syphilis testing of people with an intrauterine fetal demise at any gestational age.
- g. Syphilis testing for all pregnant people at correctional facilities, including prisons, jails, and juvenile detention centers, at the intervals and events ordered herein.

THIS ORDER supersedes any previous order, proclamation, or directives to the extent they are in conflict. This Public Order shall take effect immediately and remain in effect until such time as it automatically expires one year from the date of issuance, or until such time as the NMDOH Cabinet Secretary rescinds it.

ATTEST:

THIS 17TH DAY OF OCTOBER 2024

**PATRICK M. ALLEN
CABINET SECRETARY OF THE
STATE OF NEW MEXICO
DEPARTMENT OF HEALTH**