

COVID-19: Legal impact in Mexico, measures issued by various authorities (Seventh part, Ministry of Health)

April 2020

Authors: [Ismael Reyes Retana Tello](#), [Silvia García](#), [María Inés García Noriega](#)

Following the *client alert*, published on **April 16th, 2020**, below are new the preventive measures issued by the Ministry of Health for the mitigation and control of the SARS-CoV2 pandemic (COVID-19).

Ministry of Health

Resolution that modifies the agreement that establishes extraordinary actions to attend the health emergency generated by the SARS-CoV2 virus, published on March 31st, 2020.¹

- Through the resolution published on April 21st, 2020, the Ministry of Health amends and adds sections to the “Resolution that establishes extraordinary actions to address the health emergency generated by the SARS-CoV2 virus, published in the Federal Official Gazette on March 31st, 2020.”² (“**First Resolution of Extraordinary Actions**”).
- The following actions are set out in this agreement:
 - The suspension of non-essential activities is extended until May 30th, 2020 (modification to section I of article one).
 - Extraordinary actions will cease to be implemented as of **May 18th, 2020** in municipalities that on that date record low or no transmission of the virus. The Federal Health Ministry (“**Ministry**”) will determine the following: **(a)** the criteria for evaluating the intensity of the transmission of the virus, **(b)** any other factor related to the risk of the spread of the virus, **(c)** the vulnerability rate of the population affected by the virus, and **(d)** the guidelines necessary to reduce mobility in municipalities with different extent of the spread of the virus (addition to article three).

Regardless of the intensity of the transmission of the virus in different municipalities, the stay at home rule applies strictly to vulnerable groups (any person over 60 years of age, pregnant women or in puerperium, persons diagnosed with arterial hypertension, diabetes mellitus, chronic heart or lung disease, acquired or caused immunosuppression, and/or kidney or liver failure).

¹ https://www.dof.gob.mx/nota_detalle.php?codigo=5592067&fecha=21/04/2020

² https://www.dof.gob.mx/nota_detalle.php?codigo=5590914&fecha=31/03/2020

-
- The Ministry may adjust the epidemiological surveillance system, as well as any other information system in order to supervise patients in a critical state, as well as to have knowledge of the demand and availability of hospital services in the second and third levels of medical care (addition to article four).
 - Each state government must: **(a)** daily update the report of occupancy, availability and care for Serious Acute Respiratory Infections and any other that the Ministry considers necessary; **(b)** implement prevention and control measures according to the general criteria issued by the Ministry, considering the magnitude of the epidemic; **(c)** establish and execute the mechanisms in order to reduce mobility between municipalities with different extent of the spread of the virus, according to the criteria established by the Ministry (the Federal Public Administration may assist each state government), and **(d)** guarantee the adequate and timely implementation of the aforementioned measures, and inform the Ministry (addition to article five).
 - As health authorities and members of the National Health System, each state government must **execute and supervise plans for hospital restructuring and expansion** in order to guarantee adequate and timely health care for the public, both for COVID-19 and for any other “need for care” (addition to article six).

White & Case, S.C.
Torre del Bosque – PH
Blvd. Manuel Avila Camacho #24
11000 Mexico City
Mexico

T + 52 55 5540 9600

In this publication, White & Case means the international legal practice that comprises White & Case LLP, a limited liability company registered in the State of New York, White & Case LLP, a limited liability company incorporated in accordance with the law of United States, United of America and all other associated companies.

This publication was prepared for informational purposes for our clients and other interested persons. It is not, and is not intended to be, general in nature. Derived from the general nature of its content, it should not be understood as legal advice.

© 2020 White & Case LLP