

# Addressing the Health Care Worker Shortage

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Founder and Executive Director

**THINK NEW MEXICO**

*A Results-Oriented Think Tank Serving New Mexicans*



# About Think New Mexico

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Think New Mexico is a nonprofit, results-oriented think tank whose mission is to improve the lives of all New Mexicans, especially those who lack a strong voice in the political process.

We fulfill this mission by educating the public, the media, and policymakers about some of the most serious challenges facing New Mexico and by developing and advocating for enduring, effective, evidence-based solutions.





# The Healthcare Worker Shortage

- Between 2019-2024, New Mexico lost 248 doctors (-8.1%)<sup>1</sup>
- Between 2019-2024, the United States gained 44,272 doctors (+7.3)<sup>1</sup>
- 32 of 33 New Mexico counties are health professional shortage areas<sup>2</sup>
- New Mexico has the oldest physician workforce in the nation, with over 39% of doctors age 60 or over and expected to retire by 2030<sup>3</sup>

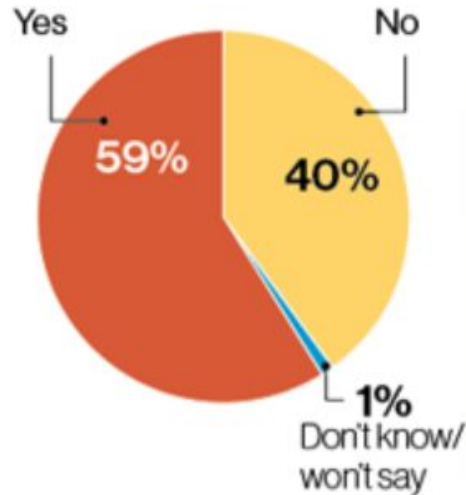
## Sources:

- 1) Physicians Advocacy Institute. Physician Employment trends in the US and in New Mexico: Similarities and Differences.
- 2) U.S. Department of Health and Human Services.
- 3) Physician workforce in the United States of America: forecasting nationwide shortages. Xiaoming Zhang, Daniel Lin, High Pforsich & Vernon W. Lin. Human Resources for Health volume 18, Article number:8 (2020).

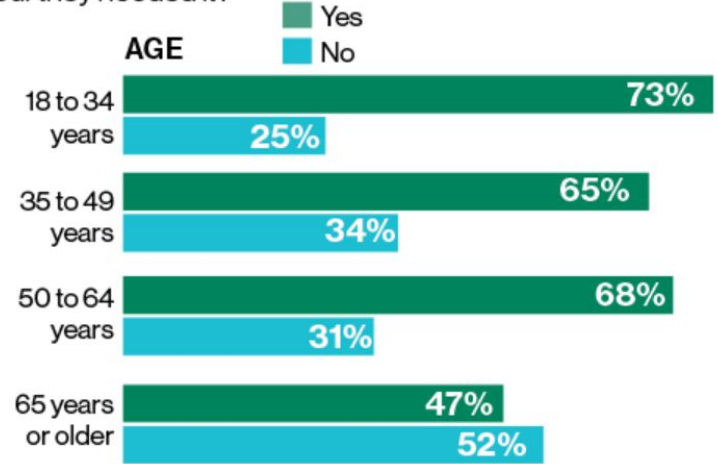


# The Shortage: Impact on Patients

In the past year, have you or a household member had difficulty getting an appointment to see a primary healthcare provider or healthcare specialist as soon as you/they needed it?



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Based on a scientific sample of 514 Albuquerque likely voters. The margin of error is plus or minus 4.3 percentage points. The margin of error increases for subgroups.

Source: Research & Polling Inc.

JOURNAL



## INDEX OF RECOMMENDED REFORMS:

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- Cap Attorney's Fees
- End Lump-Sum Payouts from the Patient Compensation Fund
- Stop Venue Shopping
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- Prohibit Lawyers from Filing Multiple Lawsuits Over a Single Malpractice Incident
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### Join All Ten Major Interstate Health Care Worker Compacts

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### Make New Mexico's Tax Policy More Friendly to Health Care Workers

- Permanently Repeal New Mexico's Gross Receipts Tax on Medical Services
- Increase and Expand the Rural Health Care Practitioner Tax Credit

## How to Solve New Mexico's Health Care Worker Shortage

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### Enhance Medicaid Reimbursement & Reduce Claim Denial Rates

- Continue to Increase Medicaid Reimbursement Rates
- Require that a Significant Portion of Increased Rates go to Health Care Professional Salaries
- Require Automatic Reviews of Medicaid Claim Denials

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### Grow More of Our Own Health Care Workers I: High School

- Provide Liability Protections for Health Care Employers Who Work with Students
- Revise CTE Pathways So That More Students Earn Health Care Credentials in High School

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### Grow More of Our Own Health Care Workers II: Higher Education

- Make Higher Education Health Care Faculty Salaries More Competitive
- Provide a Tax Credit for Preceptors who Train Health Care Workers

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### Import More International Medical Graduates

- Allow International Doctors to Apply for a Provisional License to Practice in New Mexico

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### Establish a \$2 Billion Permanent Fund for Health Care to Fund These Reforms

# The Solutions

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- ➔ 10 major policy recommendations
- ➔ The top 3 reasons doctors tell us they are leaving or retiring early:
  - ◆ Medical Malpractice
  - ◆ Low Medicaid reimbursement rates
  - ◆ Gross receipts tax on medical services

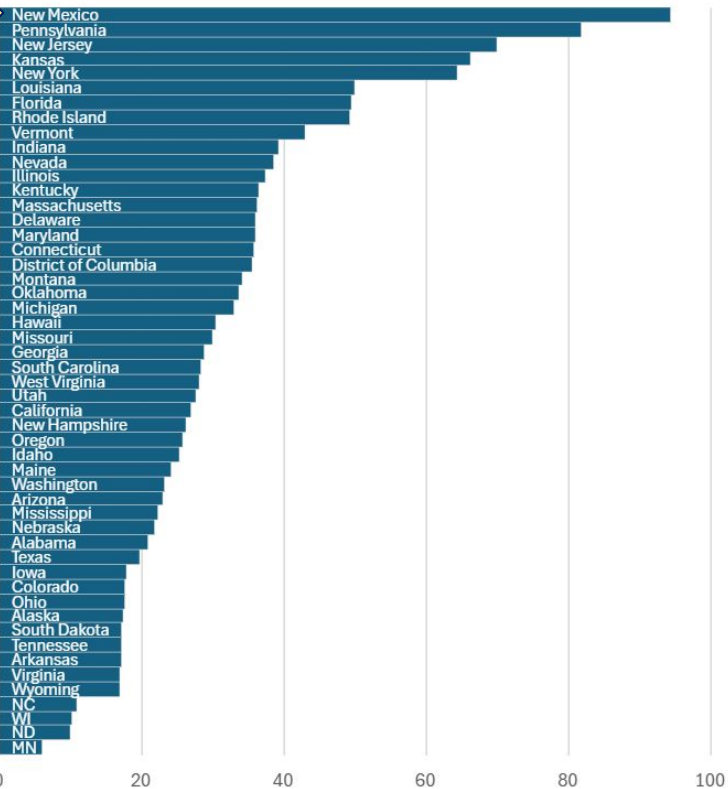
Source: Think New Mexico. *How to Solve New Mexico's Health Care Worker Shortage*.  
2024.  
<https://www.thinknewmexico.org/wp-content/uploads/pdfs/HealthCareProfessionalShortageReport2024.pdf>



# Medical Malpractice Reform



## States Ranked by Number of Medical Malpractice Payments per 1 Million People, 2024



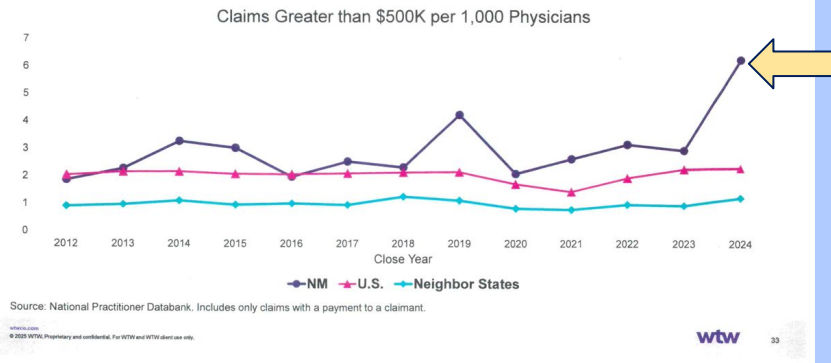
Source: 2024 Malpractice Report Data. National Practitioner Data Bank-Data Analysis Tool. U.S. Department of Health and Human Services.

# New Mexico is an Outlier on Medical Malpractice: Claims

New Mexico is out of balance with other states. This makes it difficult to recruit and retain health care providers.

## NM also has more *large* physician claims than other states

Gap particularly wide compared to neighboring states (AZ, CO, TX and UT)



Source: Emilie R. Dubois. NM Medical Professional Liability (MPL) Summit - NM Overview. September 12, 2025.



## 2023 Medical Malpractice Insurance Loss Ratio by State

State	Loss Ratio	State	Loss Ratio
New Mexico	223.1%	Georgia	74.0%
Idaho	178.5%	New Hampshire	71.4%
Wyoming	122.3%	California	71.4%
Oregon	120.6%	Florida	68.7%
South Carolina	119.7%	Michigan	68.5%
North Dakota	105.1%	Wisconsin	67.6%
Utah	99.7%	Tennessee	67.6%
Montana	99.2%	Indiana	66.8%
Alabama	97.4%	Arizona	66.3%
Hawaii	97.1%	Colorado	60.2%
Maine	97.0%	New Jersey	58.6%
South Dakota	96.7%	Texas	58.3%
Illinois	96.7%	Maryland	57.6%
Iowa	96.1%	Delaware	57.2%
Connecticut	92.3%	Missouri	57.0%
Alaska	91.0%	Kansas	55.0%
Minnesota	90.2%	North Carolina	54.5%
Nevada	89.8%	District of Columbia	51.1%
New York	89.7%	Virginia	47.4%
Pennsylvania	87.7%	Louisiana	47.1%
Massachusetts	87.6%	Nebraska	45.5%
Rhode Island	84.1%	West Virginia	40.2%
Washington	83.4%	Arkansas	37.5%
Kentucky	82.4%	Ohio	37.1%
<b>US Average</b>	<b>76.2%</b>	Puerto Rico	35.8%
Vermont	76.0%	Mississippi	33.7%
Oklahoma	75.7%		

# New Mexico is an Outlier on Medical Malpractice: Cost of Insurance

## Average premium for an independent OB/GYN in 2024

New Mexico	\$102,089
Nevada	\$84,836
Oklahoma	\$62,836
Utah	\$62,695
Arizona	\$57,934
Texas	\$50,314
Colorado	\$43,630
California	\$37,241

New Mexico is out of balance with other states. This makes it difficult to recruit and retain health care providers.

Source: 2024 Medical Malpractice Financial Information: Annual Report. Florida Office of Insurance Regulation. October 1, 2024.

Source: Medical Liability Monitor. Annual Rate Survey. 2024.







**FAMILY MEDICINE ASSOCIATES**  
**Lawrence Andrade, MD.**  
Caring For My Community Since 2009

August 1  
Dear Gallupians

On behalf of Doc Lawrence Andrade, Dr. Aedra Andrade, and our children, we want to thank everyone for the last 22 amazing years in my hometown. 22 years ago, this community welcomed Aedra and I back home as we began our medical career. You watched as our family grew from just the two of us to our current family. You supported us through the loss of our beautiful Angel, Santana Milagros Teresa, and then the loss of my parents. Your support helped us through those incredibly challenging times. We shared tears and grieved together, but also shared laughs, fun, and moments of joy, as well as pride in our community. This wonderful community has meant the world to us and we are truly humbled that you entrusted your medical care to us. We have learned from all of you as we strived to provide excellent care to every patient with compassion and respect, even though we don't always agree with each other. The community of Gallup is truly an amazing and special place with the most kind, generous and loving people you will find anywhere in the country.

Unfortunately, a very punitive medical malpractice system, high taxes (especially gross receipts taxes and state taxes for small businesses), decreasing Medicare and Medicaid reimbursements, and lack of medical specialists in New Mexico have made it increasingly difficult to provide the quality care we want to give our patients. We recently made the very difficult decision to leave our hometown, community and friends and move to Joplin, Missouri. We cannot fully express how grateful we are to each and every one of you for your unwavering support over the last 22 years. You treated us like family and we will never forget you. We don't know what the future holds, but we trust God's plans for us. We will definitely be back to visit, so this is not goodbye. Please take care of yourselves, continue to respect one another, and remain the amazing community we were blessed to be a part of for the last 22 years.

See handout for more  
farewell letters from New  
Mexico providers.

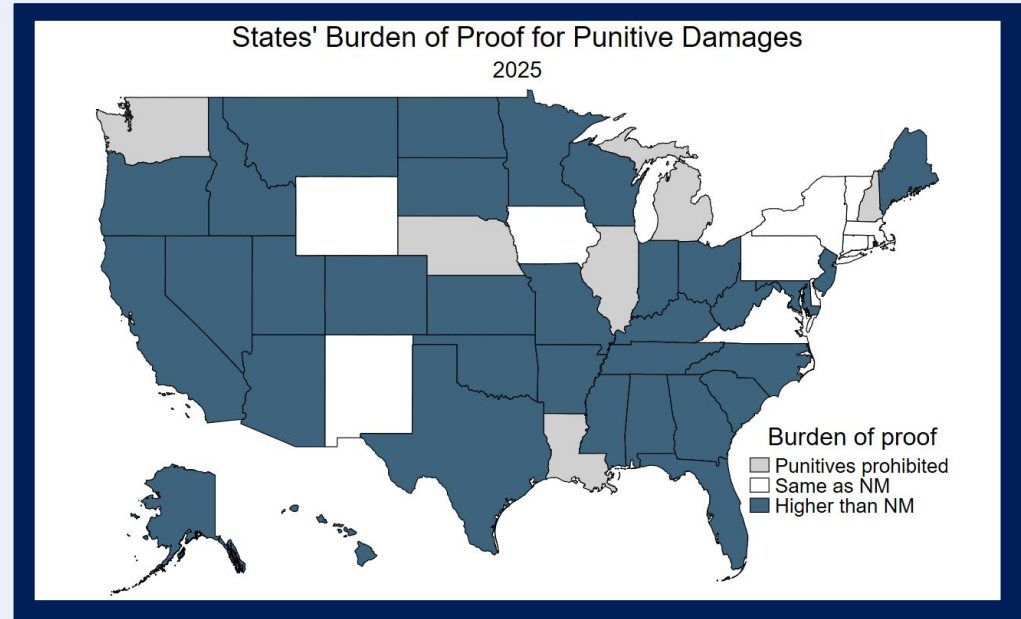
# Solutions



# Punitive damages: raise the burden of proof

Raise the burden of proof for punitive damages to “clear and convincing evidence”

- **New Mexico** has the lowest burden of proof: “preponderance of the evidence”
- **33 states** require a higher burden of proof
- **6 states** ban punitive damages



Source: Chu, Vivian. *Medical Malpractice Liability Reform: Legal Issues and 50-State Surveys of Caps on Noneconomic and Punitive Damages and of Punitive Damages and of Punitive Damages Burden of Proof Standards*. Congressional Research Service. March 1, 2011, updated by Think New Mexico.



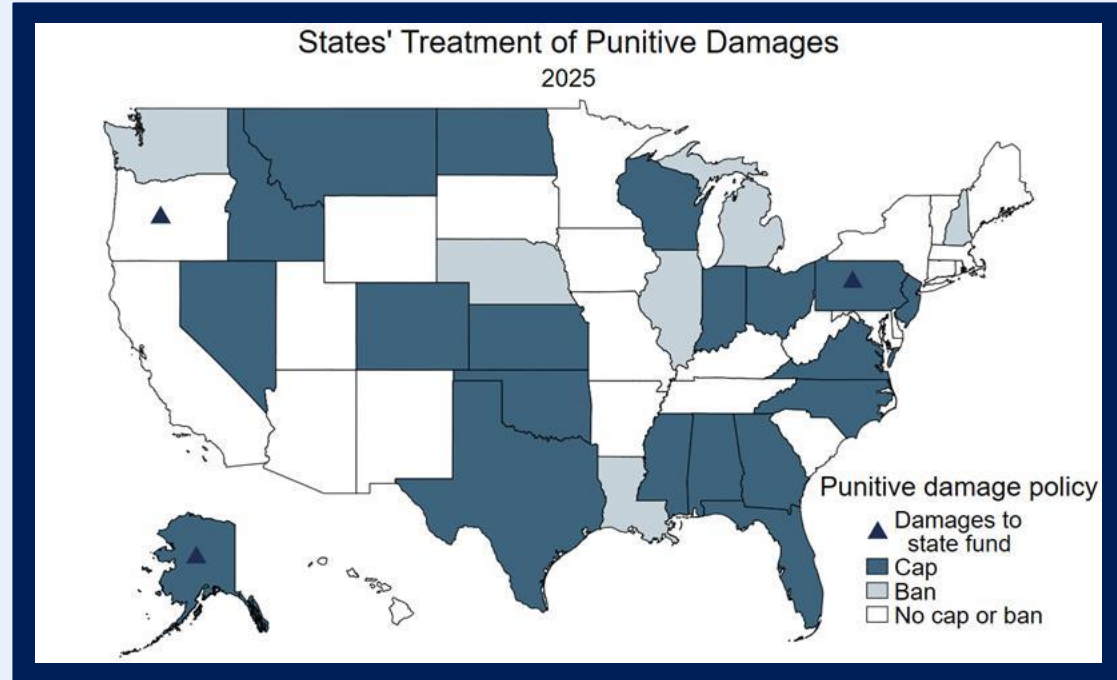
# Punitive damages: limitations

## Option 1: Cap punitive damages

- No personal liability for providers
- Liability cap for health care systems

→ **20 states** cap punitive damages

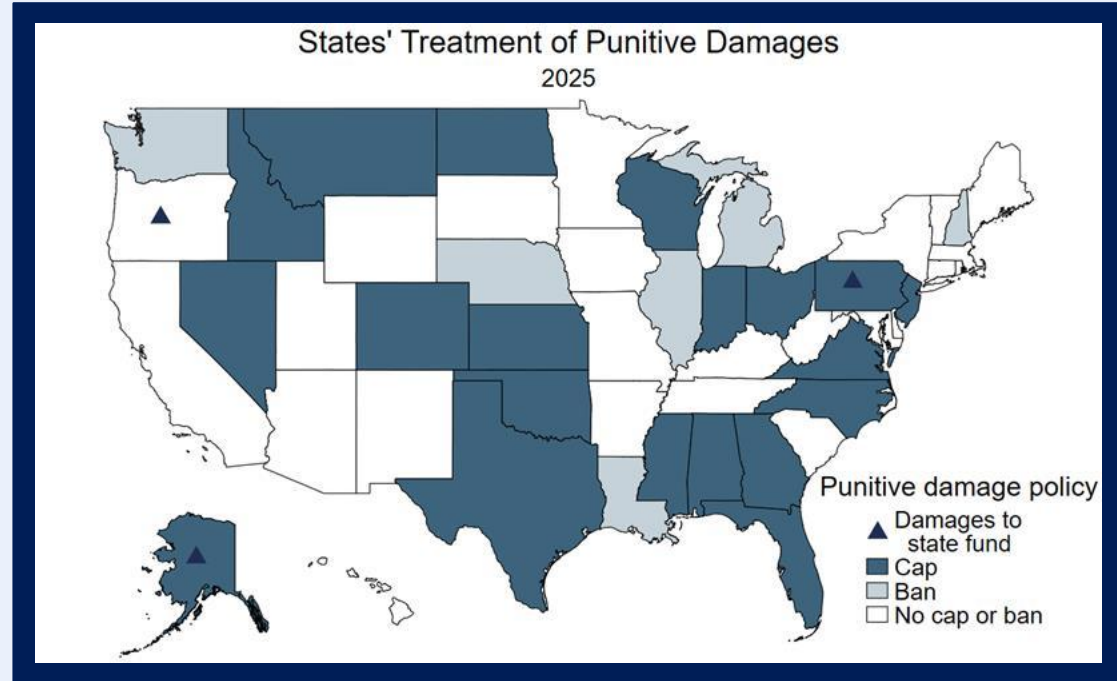
→ **6 states** ban punitive damages



# Punitive damages: limitations

Option 2: Send 75% of punitive damage awards to a patient safety fund to improve outcomes for all patients

- **Oregon** sends 70% to the state\*
- **Alaska** sends 50% to the general fund
- **Pennsylvania** sends 25% to the MCARE\*\* fund



\* 60% goes to the Criminal Injuries Compensation account and 10% goes to the State Court Facilities and Securities Account

\*\*Medical Care Availability and Reduction of Error

Source: Research of all relevant state statutes by Think New Mexico.

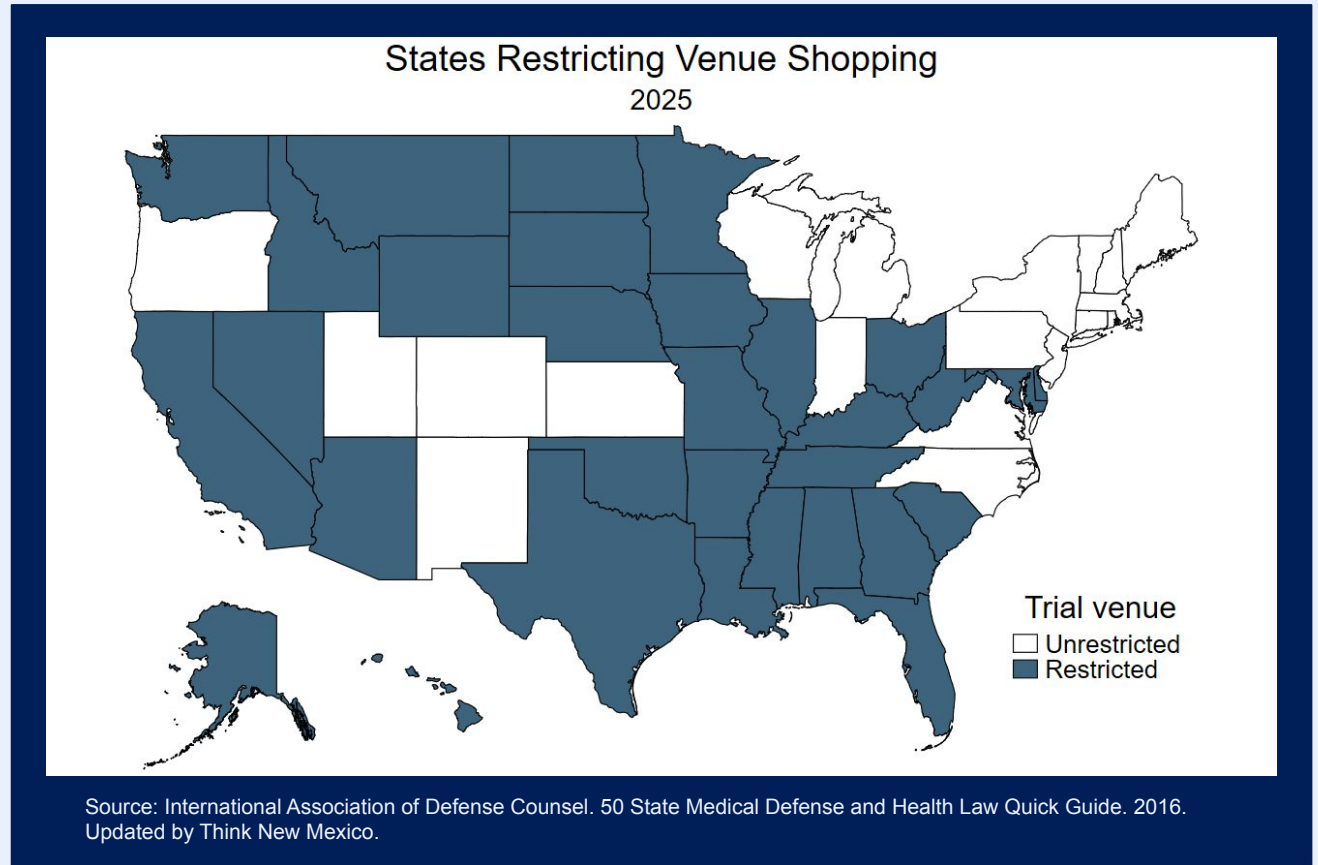


# End venue shopping

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Require that cases be brought in the county in which the patient is injured

→ **31 states** restrict venue shopping

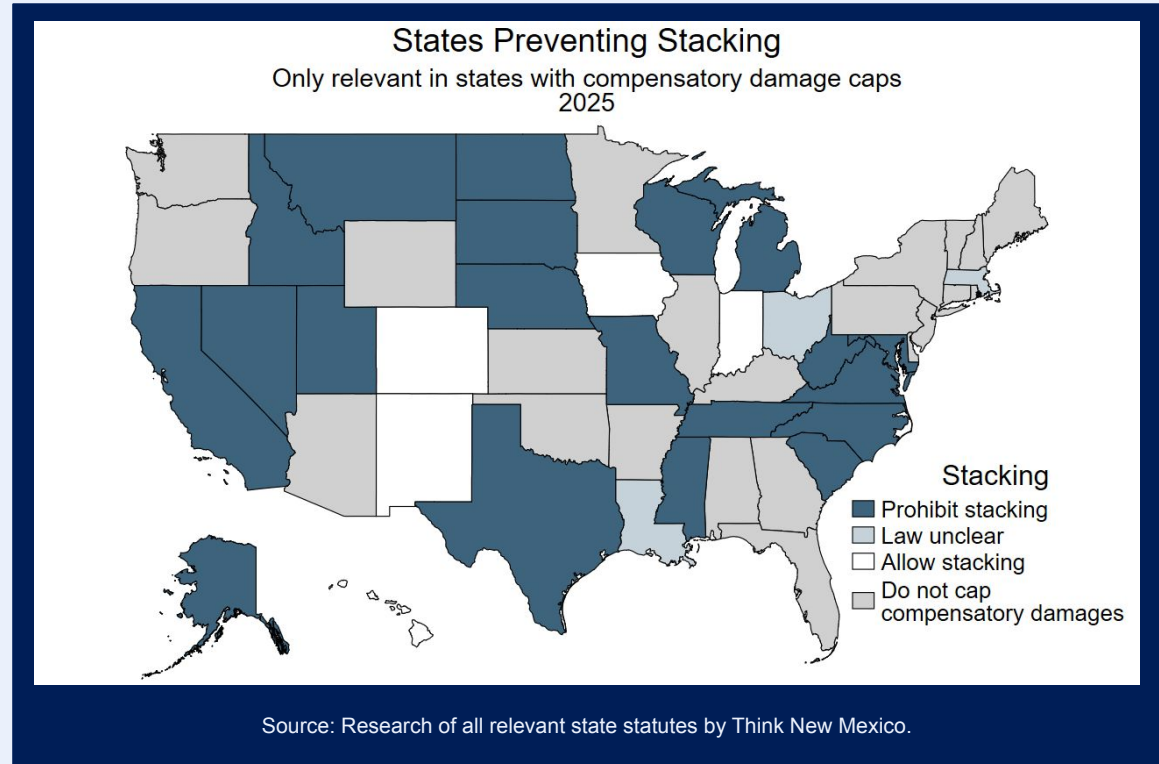




# Prevent stacking: define occurrence

Define “occurrence” such that a single injury is only grounds for a single lawsuit, regardless of the number of contributing providers or acts

→ **20 of the 28 states** that cap damages prevent stacking



# Medical costs reform

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## → End lump sum payouts

Restore the pre-2021 MMA provision that “payments for [future] medical care and related benefits shall be made as expenses are incurred”

## → Truth in damages

Require that damages for medical costs reflect the cost paid rather than the cost billed



# Apology Laws

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## Description:

- Make statements of apology, including statements of fault, inadmissible in court
- To be effective, we must implement a FULL apology law, not just a partial apology law

## Benefits of Apology Laws:

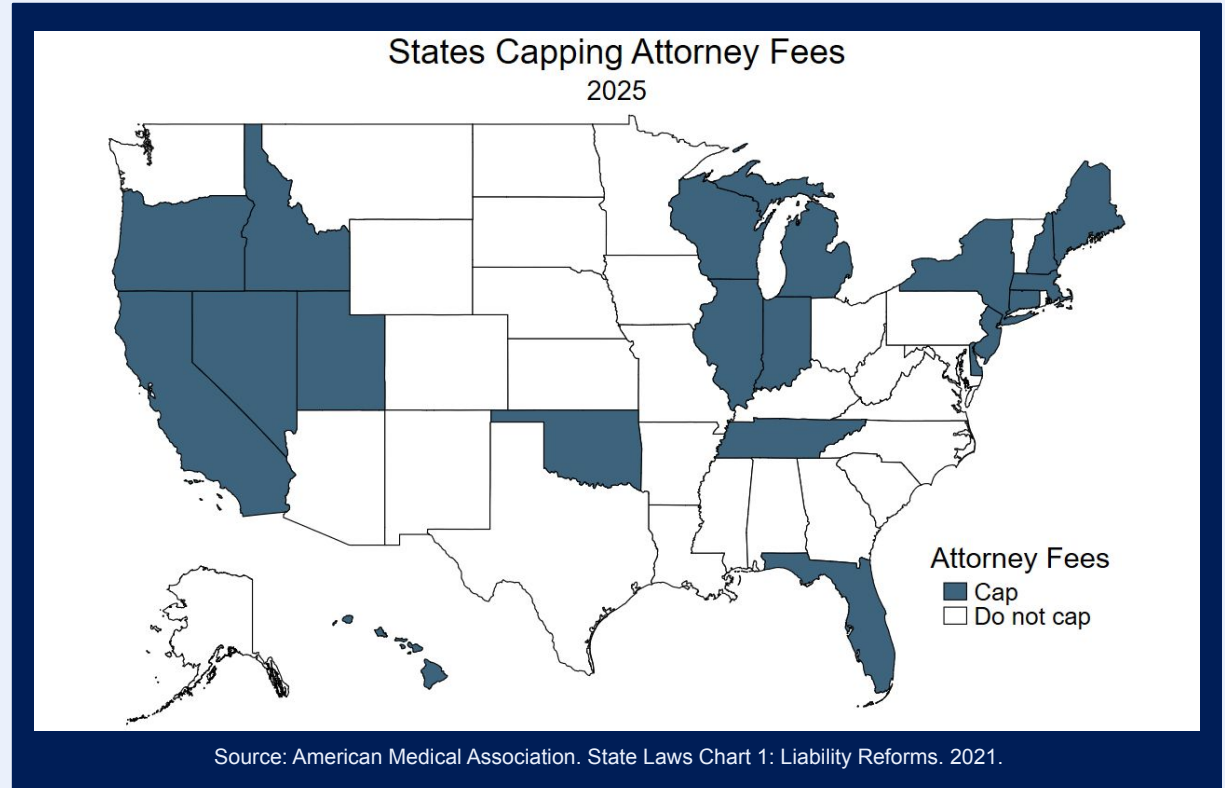
- Encourages transparency by facilitating open conversations between providers and patients
- Apology laws provide patients with information they otherwise would not have.



# Cap attorney fees

Cap fees for settlements at 25% and judgements at 33% of damages awarded

- This follows California's model
- **20 states** cap attorney fees



# These are patient centered policies

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- All patients deserve access to timely and quality care.
- Public policy should consider the needs of both:
  - ◆ patients who have been harmed by medical malpractice
  - ◆ patients who are harmed by lack of access to healthcare providers
- Patients support these reforms:



I am on my third primary care provider in the last six years because the first two left New Mexico. My wife has had difficulty getting appointments scheduled with specialists in the last year, with some of those taking five or six months to get in. This is not propaganda; these are facts, and I have heard similar experiences from others in our state.

- Patrick Dee, Albuquerque

Source: Letter to the editor. Albuquerque Journal. January 15, 2025.



# Interstate Medical Compacts





# Major Interstate Health Care Compacts

Interstate Compact	Number of States Passed	Year Founded	NM Participation
Audiologist and Speech Language	36	2016	No
Counseling Interstate Licensure	38	2020	No
Dentist and Dental Hygienist	12	2023	No
Recognition of EMS Personnel Licensure	25	2017	No
Interstate Medical Licensure	42	2015	No
Nurse Licensure --> Enhanced Nursing Licensure	41	1999 (NLC) 2017 (eNLC)	Yes
Occupational Therapy	38	2019	No
Physical Therapy	39	2015	No
Physician Assistant Licensure	19	2022	No
Psychology Interjurisdictional	41	2015	No

Source: Compact Maps for each compact; compiled by Think New Mexico



# Benefits of interstate medical compacts

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Profession	NM Shortfall
EMS	2,510
Physical Therapists	526
Physicians Assistants	281
Occupational Therapists	114
Dentists	88

Source: New Mexico Health Care Workforce Committee. 2024 Annual Report.  
[https://digitalrepository.unm.edu/cgi/viewcontent.cgi?article=1012&context=nmhc\\_workforce](https://digitalrepository.unm.edu/cgi/viewcontent.cgi?article=1012&context=nmhc_workforce)

Compacts address these deficits. The doctor compact reports:

→ a **10-15% increase** in licensure every year as a result of participation in the doctor compact.

Source: Legislative Finance Committee. HB 243 (2025) Fiscal Impact Report.  
<https://www.nmlegis.gov/Sessions/25%20Regular/firs/HB0243.PDF>



2025

## *NM Coalition in support of passing all of the Interstate Health Care Worker Compacts*

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### Elected Officials:

Gov. Michelle Lujan Grisham  
\*House Republicans  
\*House Democrats  
Senate Republicans

### Gubernatorial Candidates:

Sam Bregman  
Deb Haaland  
Greg Hull  
Ken Miyagishima

### Patient Groups:

Patients Primero  
Patient Led - NM

### Health Care Providers:

New Mexico Medical Society  
Greater Albuquerque Medical Association (GAMA)  
New Mexico Hospital Association  
New Mexico Public Health Association  
New Mexico Medical Board  
New Mexico Physical Therapy Board (Physical Therapy Compact)  
New Mexico Speech-Language Pathology Assistants (Audiologist and Speech Language Compact)  
New Mexico Occupational Therapy Association (Occupational Therapy Compact)  
New Mexico Counseling Association (Counseling Interstate Licensure Compact)  
New Mexico College of Emergency Physicians  
New Mexico Academy of Physician Assistants (Physician Assistant Licensure Compact)  
New Mexico Society of Anesthesiologists  
New Mexico Academy of Family Physicians  
New Mexico Pediatric Society  
New Mexico Telehealth Alliance  
NM Primary Care Training Consortium

*\*House Democrats and Republicans passed following unanimously in Spring 2025.*

*Audiology & Speech-Language Pathology - 64-0  
Occupational Therapy Licensure 64-0  
Physical Therapy Licensure 63-0  
Counseling Compact 62-0  
Psychology Interjurisdictional 63-0  
Interstate Medical Licensure 58-0  
Physician Assistant Licensure 65-0*



### Business:

Albuquerque Hispano Chamber of Commerce  
New Mexico Chamber of Commerce  
Greater Albuquerque Chamber of Commerce

### Labor:

AFSCME  
American Federation of Teachers - NM

### Workforce:

Kirtland Partnership Committee  
Permian Basin Strategic Partnership  
UNM Health Sciences Center

### Newspapers:

The Albuquerque Journal - Aug. 17, 2025  
The Santa Fe New Mexican - Sept 28, 2025

### Civic Groups:

Indivisible Albuquerque  
Indivisible Las Cruces  
Indivisible Santa Fe  
Indivisible Wheeler Peak  
Indivisible SOS  
Reboot our Democracy  
New Mexico League of Woman Voters  
Coalition of Conservatives in Action  
Los Alamos County

### Non-Profits:

AARP - New Mexico  
New Mexico Conference of Catholic Bishops (Doctor Compact)  
Planned Parenthood of the Rocky Mountains (Doctor Compact)  
New Mexico Voices for Children Action Fund  
Health Action New Mexico  
Think New Mexico



*Compiled by Think New Mexico, 2025*

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