

1 AN ACT

2 RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
3 AMENDING THE HEALTH CARE CONSOLIDATION OVERSIGHT ACT TO
4 REQUIRE REVIEW OF PROPOSED TRANSACTIONS THAT INVOLVE MERGERS,
5 ACQUISITIONS OR OTHER ACTIONS THAT CHANGE CONTROL OF A
6 HOSPITAL OR CERTAIN HEALTH CARE PROVIDER ORGANIZATIONS;
7 BROADENING THE DEFINITION OF "TRANSACTION", OVER WHICH THE
8 HEALTH CARE AUTHORITY HAS REVIEW AUTHORITY; PROVIDING
9 WHISTLEBLOWER PROTECTION; PROVIDING FOR ENFORCEMENT OF THE
10 ACT; PRESCRIBING ADMINISTRATIVE PENALTIES; REPEALING THE
11 DELAYED REPEAL OF THE ACT.

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

14 SECTION 1. Section 59A-63-1 NMSA 1978 (being Laws 2024,
15 Chapter 40, Section 1) is recompiled as Section 24A-9-1 NMSA
16 1978 and is amended to read:

17 "24A-9-1. SHORT TITLE.--Chapter 24A, Article 9 NMSA
18 1978 may be cited as the "Health Care Consolidation Oversight
19 Act"."

20 SECTION 2. Section 59A-63-2 NMSA 1978 (being Laws 2024,
21 Chapter 40, Section 2) is recompiled as Section 24A-9-2 NMSA
22 1978 and is amended to read:

23 "24A-9-2. DEFINITIONS.--As used in the Health Care
24 Consolidation Oversight Act:

25 A. "acquisition" means the direct or indirect

1 purchase or other procurement in any manner, including
2 through a lease, a license, a transfer, an exchange, an
3 option, a proxy, a conveyance or a joint venture, of all or
4 substantially all of the assets, equity or operations of a
5 person;

6 B. "affiliation" means a business arrangement in
7 which one person, directly or indirectly, is controlled by,
8 is under common control with or controls another person;

9 C. "authority" means the health care authority;

10 D. "control" means the power to direct or cause
11 the direction of the management and policies of a hospital,
12 directly or indirectly, including through the ownership of
13 voting securities, through licensing, lease or franchise
14 agreements or by contract other than a commercial contract
15 for goods or nonmanagement services, unless the power is the
16 result of a public appointment, general election or corporate
17 office held by an individual;

18 E. "essential services" means health care services
19 covered by the state medicaid program, health care services
20 that are required to be included in health plans pursuant to
21 state or federal law and health care services that are
22 required to be included in qualified health plans offered
23 through the New Mexico health insurance exchange;

24 F. "health care provider" means a person
25 certified, licensed, registered or otherwise authorized under

1 state law to perform or provide health care services in New
2 Mexico;

3 G. "health care provider organization" means a
4 person that is in the business of delivering or managing the
5 delivery of health care services, whether incorporated or
6 not, including physician organizations, physician-hospital
7 organizations, independent practice associations, provider
8 networks, accountable care organizations, dental services
9 organizations and any other organization that contracts with
10 health insurers for payment for health care services but does
11 not include hospitals;

12 H. "health insurer" means a person required to be
13 licensed or subject to the New Mexico Insurance Code or the
14 insurance laws of any other state in connection with the
15 business of health insurance, excluding insurance producers;

16 I. "hospital" means a hospital licensed by the
17 authority or its successor health facility licensing agency,
18 but "hospital" does not include a state university teaching
19 hospital or a state-owned special hospital;

20 J. "independent health care practice" means a
21 health care provider organization entirely owned or
22 controlled by one or more health care providers who are
23 individuals and who provide health care services through the
24 health care provider organization to patients in New Mexico;

25 K. "management services organization" means a

1 person that provides all or substantially all of the
2 administrative or management services under contract with a
3 hospital, including administering contracts with health
4 plans, third-party administrators and pharmacy benefit
5 managers, on behalf of the hospital;

6 L. "office" means the office of superintendent of
7 insurance;

8 M. "party" means a person that is a party to a
9 transaction subject to the Health Care Consolidation
10 Oversight Act;

11 N. "person" means an individual, association,
12 organization, partnership, firm, syndicate, trust,
13 corporation or other legal entity;

14 O. "secretary" means the secretary of health care
15 authority; and

16 P. "transaction" means any of the following:

17 (1) a merger of a hospital in New Mexico
18 with another hospital or with a person controlling a
19 hospital;

20 (2) an acquisition of one or more hospitals
21 or a person controlling a hospital in New Mexico;

22 (3) any affiliation or contract or other
23 agreement that results in a change of control of a hospital
24 in New Mexico, including with a management services
25 organization or health insurer;

1 (4) a formation of a new corporation,
2 partnership, joint venture, trust, parent organization or
3 management services organization that results in a change of
4 control of an existing hospital in New Mexico;

5 (5) a sale, mortgage, purchase, lease, new
6 affiliation or other agreement that results in a change of
7 control of a hospital in New Mexico or the real estate on
8 which the hospital is located; and

9 (6) an acquisition of one or more
10 independent health care practices by a health care provider
11 organization that is owned or affiliated with a health
12 insurer."

13 SECTION 3. Section 59A-63-3 NMSA 1978 (being Laws 2024,
14 Chapter 40, Section 3) is recompiled as Section 24A-9-3 NMSA
15 1978 and is amended to read:

16 "24A-9-3. APPLICABILITY--PROVISIONS ADDITIONAL--CONTROL
17 PRESUMPTIONS.--

18 A. The oversight power of the authority pursuant
19 to the Health Care Consolidation Oversight Act applies to
20 proposed transactions.

21 B. Being subject to the Health Care Consolidation
22 Oversight Act does not preclude or negate any person
23 regulated pursuant to the Insurance Holding Company Law.

24 C. Control is presumed to exist if a person,
25 directly or indirectly, owns, controls, holds fifteen percent

1 or more of the power to vote or holds proxies representing
2 fifteen percent or more of the voting securities of any other
3 person. The presumption may be rebutted by a showing in the
4 manner provided by Section 59A-37-19 NMSA 1978 that control
5 does not in fact exist."

6 SECTION 4. Section 59A-63-4 NMSA 1978 (being Laws 2024,
7 Chapter 40, Section 4) is recompiled as Section 24A-9-4 NMSA
8 1978 and is amended to read:

9 "24A-9-4. CONFIDENTIALITY.--Except for the information
10 provided pursuant to Paragraphs (2) through (6) of Subsection
11 E of Section 24A-9-6 NMSA 1978, all documents, materials or
12 other information in the possession or control of the
13 authority that are obtained by or disclosed to the authority,
14 the authority's contracted experts, the attorney general, the
15 office or any other governmental entity in the course of a
16 review under the Health Care Consolidation Oversight Act are
17 confidential."

18 SECTION 5. Section 59A-63-5 NMSA 1978 (being Laws 2024,
19 Chapter 40, Section 5) is recompiled as Section 24A-9-5 NMSA
20 1978 and is amended to read:

21 "24A-9-5. TIMING OF REVIEW OF NOTICE AND TOLLING.--

22 A. A notice of a proposed transaction shall be
23 deemed complete by the authority on the date when all the
24 information required by the Health Care Consolidation
25 Oversight Act is submitted by all the parties to the

1 transaction, as applicable.

2 B. Within thirty days after the notice of a
3 proposed transaction is filed, the authority shall notify the
4 parties in writing if the notice is complete or, if the
5 notice is incomplete, specify what additional information
6 must be submitted.

7 C. Should the scope of the proposed transaction be
8 significantly modified from that outlined in the initial
9 notice, the time periods set out in the Health Care
10 Consolidation Oversight Act shall be restarted by the
11 authority.

12 D. The time periods shall be tolled during any
13 time in which the authority has requested and is awaiting
14 further information from the parties to a transaction
15 necessary to complete its review."

16 SECTION 6. Section 59A-63-6 NMSA 1978 (being Laws 2024,
17 Chapter 40, Section 6) is recompiled as Section 24A-9-6 NMSA
18 1978 and is amended to read:

19 "24A-9-6. NOTICE OF PROPOSED TRANSACTION--GENERAL
20 PROVISIONS--REQUIREMENTS--CONSULTATIONS--EXPERTS--PAYMENT OF
21 COSTS.--

22 A. At least one person that is a party to a
23 proposed transaction shall submit to the authority a written
24 notice of the proposed transaction in the form and manner
25 prescribed by the authority. The parties shall pay the

1 reasonable costs and expenses incurred by the authority in
2 the performance of the authority's duties pursuant to the
3 Health Care Consolidation Oversight Act for costs associated
4 with the authority's contracts with experts, unless
5 determined otherwise by the secretary. The authority shall
6 notify parties before any costs are incurred when a
7 transaction review requires the use of outside experts,
8 including the estimated cost of their services.

9 B. Upon receipt of a complete notice of a proposed
10 transaction, the authority shall determine if the transaction
11 is urgently necessary to maintain the solvency of a hospital
12 or if there is an emergency that threatens the continued
13 provision of immediate health care services. In such
14 circumstances, the authority may agree to an immediate
15 approval of a transaction with or without conditions.

16 C. Entry into a binding agreement before a
17 transaction is effectuated is not a violation of the Health
18 Care Consolidation Oversight Act if the transaction remains
19 subject to regulatory review and approval.

20 D. If a party to the proposed transaction is a
21 health insurer, the notice shall be submitted as an addendum
22 to any filing required by Sections 59A-37-4 through 59A-37-10
23 NMSA 1978.

24 E. The notice of the proposed transaction shall
25 include:

1 (1) the terms of the proposed transaction
2 and copies of all transaction agreements between any of the
3 parties;

4 (2) a list of the parties and business
5 addresses;

6 (3) a statement describing the proposed
7 transaction, the goals of the proposed transaction and
8 whether and how the proposed transaction affects health care
9 services in New Mexico;

10 (4) the geographic service area affected by
11 the proposed transaction;

12 (5) a description of the groups or
13 individuals likely to be affected by the transaction; and

14 (6) a summary of the health care services
15 currently provided by any of the parties and any health care
16 services that will be added, reduced or eliminated, including
17 an explanation of why any services will be reduced or
18 eliminated in the service area in which they are currently
19 provided.

20 F. The authority may consult with the office about
21 the potential effect of the proposed transaction and
22 incorporate the office's recommendations into the authority's
23 final determination.

24 G. The authority may retain actuaries,
25 accountants, attorneys or other professionals who are

1 qualified and have expertise in the type of transaction under
2 review as necessary to assist the authority in conducting its
3 review of the proposed transaction.

4 H. The parties shall not effectuate a transaction
5 without the written approval of the secretary. The
6 submitting party shall notify the authority in a form and
7 manner prescribed by the authority when the transaction has
8 been effectuated.

9 I. Parties to a proposed transaction may request a
10 pre-notice conference to determine if they are required to
11 file a notice or to discuss the potential extent of the
12 review.

13 J. The authority shall provide all notices and
14 documents received from any of the parties to a proposed
15 transaction to the office and the attorney general. The
16 attorney general may provide input to the authority about the
17 potential effect of a proposed transaction relative to the
18 Antitrust Act, the Unfair Practices Act or other state or
19 federal law.

20 K. Nothing in the Health Care Consolidation
21 Oversight Act shall amend, modify, abrogate or otherwise
22 affect the applicability or obligations of a party to a
23 transaction or acquisition under any other state or federal
24 law. The filing obligations under that act are in addition
25 to any other obligation that may be required under other

1 laws."

2 SECTION 7. A new section of the Health Care
3 Consolidation Oversight Act, Section 24A-9-6.1 NMSA 1978, is
4 enacted to read:

5 "24A-9-6.1. POSTING PUBLIC INFORMATION--PUBLIC
6 COMMENT--PUBLIC COMMENT FORUMS.--

7 A. Within ten days of receipt of a complete notice
8 of a proposed transaction, the authority shall post the
9 information provided pursuant to Paragraphs (2) through (6)
10 of Subsection E of Section 24A-9-6 NMSA 1978.

11 B. The authority shall publish a statement briefly
12 describing a notice of proposed transaction in at least one
13 newspaper of general circulation or other media that is
14 prevalent in the area affected by the transaction. The
15 authority shall also provide the statement to the following
16 in the affected area:

- 17 (1) municipal and county officials;
- 18 (2) county health councils;
- 19 (3) Indian nations, tribes and pueblos;
- 20 (4) military installation commands;
- 21 (5) state legislators;
- 22 (6) the state's congressional delegation;

23 and

24 (7) any labor organization that represents
25 employees of the impacted hospital or health care provider

1 organization.

2 C. With respect to website, newspaper and other
3 disseminations and communications described in Subsection B
4 of this section, the authority shall provide details on how
5 the public can provide comments and offer multiple methods to
6 provide comments on a notice of a proposed transaction by
7 telephone or in writing by mail or electronic mail,
8 anonymously or by a third party, and such methods shall
9 provide opportunities to submit comments in languages other
10 than English.

11 D. If the authority conducts a review, at least
12 one public comment forum shall be held in the New Mexico
13 service area or areas of the hospital or health care provider
14 organization that is party to or the subject of the proposed
15 transaction.

16 E. At least ten calendar days prior to the public
17 comment forum, the authority shall post to the authority's
18 website information about the public comment forum and a link
19 on the website to publicly available materials relevant to
20 the proposed transaction. The forum notice and the materials
21 shall be in a format that is easy to find and easy to read
22 and shall include information on how to submit comments.

23 F. The authority shall publish a notice of a
24 public comment forum in at least one newspaper of general
25 circulation or other media that is prevalent in the area

1 affected by the transaction and provide the notice to the
2 officials and other persons specified in Subsection B of this
3 section.

4 G. Public comment on a proposed transaction that
5 is subject to review shall be provided in the same manner as
6 provided in Subsection C of this section.

7 H. The authority shall consider public comments
8 and input received during the public comment forum on a
9 proposed transaction in the authority's determination."

10 SECTION 8. Section 59A-63-7 NMSA 1978 (being Laws 2024,
11 Chapter 40, Section 7) is recompiled as Section 24A-9-7 NMSA
12 1978 and is amended to read:

13 "24A-9-7. REVIEW OF PROPOSED TRANSACTION.--

14 A. Within one hundred twenty days of receiving a
15 complete notice of a proposed transaction, the authority
16 shall complete a review, confer with the office and either:

17 (1) approve the proposed transaction;

18 (2) approve the proposed transaction with
19 conditions; or

20 (3) disapprove the proposed transaction.

21 B. The secretary shall notify the submitting party
22 in writing of the authority's determination and the reasons
23 for the determination.

24 C. The review period may be extended if the
25 parties agree to an extension.

1 D. In conducting a review of a proposed
2 transaction, the authority may consider the likely effect in
3 New Mexico of the proposed transaction on:

4 (1) the potential reduction or elimination
5 in access to essential services;

6 (2) the availability, accessibility and
7 quality of health care services to the area affected by the
8 transaction;

9 (3) the health care market share of a party
10 and whether the transaction may foreclose competitors of a
11 party from a segment of the market or otherwise increase
12 barriers to entry in a health care market;

13 (4) changes in practice restrictions for
14 health care providers who work at the hospital;

15 (5) patient costs, including premiums and
16 out-of-pocket costs;

17 (6) health care provider networks;

18 (7) the potential for the proposed
19 transaction to affect health outcomes for New Mexico
20 residents; and

21 (8) current and future wages, benefits,
22 working conditions, employment protections and restrictions
23 and other terms and conditions of employment for employees of
24 hospitals or health care provider organizations that are
25 parties to or the subject of the proposed transaction.

1 E. The authority shall approve the proposed
2 transaction after the review if the authority determines
3 that:

4 (1) the parties to the proposed transaction
5 have demonstrated that the transaction will benefit the
6 public by:

7 (a) reducing the growth in patient
8 costs, including premiums and out-of-pocket costs; or

9 (b) maintaining or increasing access to
10 services, especially in medically underserved areas;

11 (2) the proposed transaction will improve
12 health outcomes for New Mexico residents; and

13 (3) there is no substantial likelihood of:

14 (a) a significant reduction in the
15 availability, accessibility, affordability or quality of care
16 for patients and other consumers of health care services; or

17 (b) anti-competitive effects from the
18 proposed transaction that outweigh the benefits of the
19 transaction."

20 SECTION 9. Section 59A-63-8 NMSA 1978 (being Laws 2024,
21 Chapter 40, Section 8) is recompiled as Section 24A-9-8 NMSA
22 1978 and is amended to read:

23 "24A-9-8. POST-TRANSACTION OVERSIGHT.--

24 A. The person that acquired control over the
25 hospital or independent health care practice through an

1 approved or conditionally approved transaction shall submit
2 reports to the authority and the office in the form and
3 manner prescribed by the authority annually for three years
4 after approval or conditional approval. Conditions to an
5 approval shall remain in effect for no longer than three
6 years from the date of the conditional approval.

7 B. Reports shall:

8 (1) describe compliance with conditions
9 placed on the transaction, if any;

10 (2) describe the growth, decline and other
11 changes in services provided by the person; and

12 (3) provide analyses of cost trends and cost
13 growth trends of the hospital."

14 SECTION 10. A new section of the Health Care
15 Consolidation Oversight Act, Section 24A-9-9 NMSA 1978, is
16 enacted to read:

17 "24A-9-9. ENFORCEMENT AND ADMINISTRATIVE FINES.--

18 A. The authority shall enforce the provisions of
19 the Health Care Consolidation Oversight Act.

20 B. A transaction that is covered by Section
21 24A-9-3 NMSA 1978 shall not be effectuated in New Mexico
22 without the secretary's written determination that no review
23 is needed or without the written approval, with or without
24 conditions, of the secretary following review.

25 C. A person that violates a material or

1 substantive provision of the Health Care Consolidation
2 Oversight Act or an order or rule of the authority issued or
3 adopted in accordance with that act may be assessed an
4 administrative fine by the secretary of not more than five
5 thousand dollars (\$5,000) for each instance of violation
6 unless the violation is willful and intentional, in which
7 case the secretary may assess a fine of not more than ten
8 thousand dollars (\$10,000) for each violation, except as
9 provided in Paragraph (2) of Subsection D of this section.
10 For purposes of calculating the fine, the secretary shall
11 determine what constitutes an "instance of violation" based
12 on:

13 (1) the nature of the violation, including
14 whether it is on a per-day, per-patient, per-instance or
15 other basis;

16 (2) the nature of the proposed transaction
17 and the circumstances of the parties involved;

18 (3) the potential impact on the
19 availability, accessibility, affordability or quality of care
20 for patients of health care services in New Mexico; and

21 (4) any anticompetitive effects from the
22 proposed transaction.

23 D. In the event of a failure to provide the
24 required notice of proposed transaction, in addition to the
25 imposition of administrative fines, the secretary may:

1 (1) require the parties to the unnoticed
2 transaction to submit a notice of proposed transaction to
3 allow the authority to complete a preliminary review and:

4 (a) determine if the transaction should
5 be subject to a review; and

6 (b) if needed, conduct such review to
7 determine if the transaction should: 1) remain effectuated;
8 2) remain effectuated with conditions; or 3) be disapproved;
9 and

10 (2) in the event of a willful and
11 intentional failure to provide the notice of proposed
12 transaction, impose an administrative fine of not more than
13 fifteen thousand dollars (\$15,000) per day from the date on
14 which the notice was required to be submitted to the
15 authority to the date of issuance of an order approving,
16 approving with conditions or disapproving the transaction.

17 E. Money collected from the imposition of an
18 administrative fine pursuant to the Health Care Consolidation
19 Oversight Act shall be deposited in the state treasury to the
20 credit of the current school fund as provided by Article 12,
21 Section 4 of the constitution of New Mexico."

22 SECTION 11. A new section of the Health Care
23 Consolidation Oversight Act, Section 24A-9-10 NMSA 1978, is
24 enacted to read:

25 "24A-9-10. ACT NOT EXCLUSIVE--ATTORNEY GENERAL.--

1 Nothing in the Health Care Consolidation Oversight Act limits
2 the authority of the attorney general to protect consumers in
3 the health care market or to protect the economy of the state
4 or any significant part of the state insofar as health care
5 is concerned under any state or federal law. The authority
6 of the attorney general to maintain competitive markets and
7 prosecute state and federal antitrust and unfair competition
8 violations shall not be narrowed, abrogated or otherwise
9 altered by that act."

10 SECTION 12. A new section of the Health Care
11 Consolidation Oversight Act, Section 24A-9-11 NMSA 1978, is
12 enacted to read:

13 "24A-9-11. JURISDICTION.--New Mexico courts shall have
14 personal jurisdiction over the parties to a transaction
15 subject to the provisions of the Health Care Consolidation
16 Oversight Act, including the parties to the transaction and
17 any person affiliated with a party."

18 SECTION 13. A new section of the Health Care
19 Consolidation Oversight Act, Section 24A-9-12 NMSA 1978, is
20 enacted to read:

21 "24A-9-12. WHISTLEBLOWER PROTECTION--POLICY
22 REQUIRED--RETALIATION PROHIBITED--PENALTIES.--

23 A. As used in this section:

24 (1) "entity" means hospitals, management
25 services organizations and health care provider organizations

1 that are owned or affiliated with health insurers;

2 (2) "good faith" means that a reasonable
3 basis exists in fact as evidenced by the facts available;

4 (3) "retaliatory action" means any
5 discriminatory or adverse action taken by an entity against a
6 whistleblower, including termination, discharge, demotion,
7 suspension, harassment or limitation on access to health care
8 services;

9 (4) "unlawful or improper act" means a
10 practice, procedure, action or failure to act on the part of
11 an entity that violates the Health Care Consolidation
12 Oversight Act or the authority's or attorney general's
13 ability to exercise authority pursuant to that act; and

14 (5) "whistleblower" means a health care
15 provider, officer, employee, contractor, subcontractor or
16 authorized agent of an entity who reveals information about
17 an unlawful or improper act by the entity.

18 B. An entity shall not take any retaliatory action
19 against a whistleblower who:

20 (1) discloses to the authority, the attorney
21 general, the office or any other state, local or federal
22 governmental body information about an action or a failure to
23 act that the whistleblower believes in good faith constitutes
24 an unlawful or improper act;

25 (2) provides information to or testifies

1 before a public body as part of an investigation, hearing or
2 inquiry into an unlawful or improper act; or

3 (3) objects to or refuses to participate in
4 an activity, policy or practice that the whistleblower
5 believes in good faith constitutes an unlawful or improper
6 act.

7 C. Every entity shall adopt, promulgate and
8 enforce a whistleblower protection policy that, at a minimum,
9 meets the requirements of Subsection B of this section to
10 protect whistleblowers from any form of retaliatory action by
11 the entity. The policy shall be posted at each entity's
12 workplace, published on the entity's website and given, by
13 either written or electronic communication, to every officer,
14 employee, contractor or other agent of the entity.

15 D. Except as otherwise provided in the Health Care
16 Consolidation Oversight Act and in addition to any criminal
17 charges or civil suits that may be brought against an entity
18 for either an unlawful or improper act or retaliatory
19 actions, the secretary may assess an administrative fine not
20 to exceed ten thousand dollars (\$10,000) on an entity that
21 the secretary finds has engaged in retaliatory action. Each
22 retaliatory action or each day of violation may be considered
23 a separate violation. If the secretary finds the entity
24 willfully or repeatedly violated or continues to violate the
25 prohibition against retaliatory actions, the secretary may

1 assess an administrative fine not to exceed one hundred
2 thousand dollars (\$100,000) for each violation.

3 E. The secretary shall give notice to the entity
4 of the secretary's intention to assess an administrative fine
5 and specify the findings of retaliatory action. The entity
6 may request a hearing, which shall be conducted as provided
7 in the Administrative Procedures Act. The secretary shall
8 make final findings and decisions, which may include the time
9 in which the entity must correct an unlawful or improper
10 violation, and send a copy by registered mail to the entity.
11 The decision of the secretary is a final agency action and
12 may be appealed to the district court as provided in Section
13 39-3-1.1 NMSA 1978. The entity has thirty days in which to
14 pay the administrative fine.

15 F. An entity that fails to stop or correct a
16 retaliatory action within the period allowed for its
17 correction, which period shall not begin to run until the
18 date of the final order or appeal, if applicable, may be
19 assessed a separate administrative fine not to exceed fifteen
20 thousand dollars (\$15,000) for each day during which the
21 failure to stop or correct retaliatory action continues past
22 the deadline for stopping or correcting the action.

23 G. Administrative fines shall be deposited in the
24 state treasury to the credit of the current school fund as
25 required by Article 12, Section 4 of the constitution of New

1 Mexico.

2 H. The rights and remedies provided in this
3 section shall not be waived by an agreement, policy form or
4 condition of employment, including by an arbitration
5 agreement.

6 I. Nothing in this section shall be deemed to
7 diminish the rights, privileges or remedies of a
8 whistleblower or other person pursuant to any federal or
9 state law or pursuant to any collective bargaining
10 agreement."

11 SECTION 14. A new section of the Health Care
12 Consolidation Oversight Act, Section 24A-9-13 NMSA 1978, is
13 enacted to read:

14 "24A-9-13. AUTHORITY--HOSPITAL OWNERSHIP--ANNUAL
15 POSTING ON WEBSITE.--The authority shall post hospital
16 ownership annually on the authority's website and at any
17 point in which there is a change of ownership of a hospital
18 or the real estate on which a hospital stands."

19 SECTION 15. REPEAL.--Laws 2024, Chapter 40, Section 9
20 is repealed.

21 SECTION 16. EFFECTIVE DATE.--The effective date of the
22 provisions of this act is July 1, 2025. _____

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