

<b>LFC Requester:</b>	<b>Hilla</b>
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**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 01/23/2026 *Check all that apply:*  
**Bill Number:** HB 15 Original  Correction   
 Amendment  Substitute

**Sponsor:** Rep. Anaya **Agency Name and Code** 218 AOC  
**Short Title:** MEDICAL INJURY COLLABORATIVE RESTORATION ACT **Number:** \_\_\_\_\_  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB 99 and HB 107  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

HB 15 enacts the Medical Injury Collaborative Resolution Act, creating a new “Adverse Health Care Outcome Conference” process through which a patient or patient’s representative and a health care provider can discuss and potentially resolve claims while benefiting from an evidentiary protection on the use of statements made during settlement negotiations.

Section 3 of HB 15 provides that in the event of an agreement between a health care provider and a patient under the Act, the parties shall obtain court approval for a release.

#### **FISCAL IMPLICATIONS**

The Act will require the Judiciary to create a new case type and engage in the rulemaking process. Training of judges and court staff will also be necessary to ensure proper application of the law and appropriate docketing of release documents filed under the Act. There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. New laws, amendments to existing laws and new hearings have the potential to increase court hearing time, thus requiring additional resources to handle the increase.

#### **SIGNIFICANT ISSUES**

- 1) The statutory language is ambiguous as to when court approval is required and, if a court must approve a settlement, how this determination should be made.

Section 3(E) specifies that the parties **shall** (a) negotiate the terms of a settlement; (b) negotiate the form of release; and (c) obtain court approval as necessary. The requirement to obtain court approval, but only as necessary, is ambiguous and does not specify when, if ever, a party is actually required to obtain court approval for a settlement. This ambiguity can be addressed by specifying when court approval is necessary, for example in the case of a settlement involving a minor. Absent specificity, every proposed settlement will likely be presented to the courts out of an abundance of caution. The bill also lacks any guidance or standards for courts to apply in determining whether to approve a proposed settlement. This could lead to different outcomes based on the court or judge to which a proposed settlement is presented, and presents difficulties in facilitating any appellate review of determinations.

- 2) of a proposed settlement to the court without a pending case presents jurisdictional and caseload concerns.

Because the settlement process proposed by this bill occurs outside the formal judicial process, in many instances settlements will need to be presented to the court without a corresponding pending case. This would require court clerks to docket a new case, assign to a judge, and schedule a hearing. The statute also does not expressly grant jurisdiction to courts to consider extrajudicial settlements.

- 3) Proposed settlements presented for court approval become public records.

Any proposed settlement presented to a court for approval would be filed into a case file and become a public record, absent a statutory or rule-based sealing provision and/or IPRA

exemption. There are likely reasons both patients and health care providers may want to avoid making proposed settlements public records where they otherwise would not be public.

**PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS**