

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to 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: January 21, 2026 **Check all that apply:**
Bill Number: HB 99 **Original** **Correction**
Amendment **Substitute**

Sponsor: Rep. Chandler
Short Title: MEDICAL MALPRACTICE CHANGES

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SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|----------------------|-------------|----------------------------------|----------------------|
| FY26 | FY27 | | |
| | | | |
| | | | |

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 |
|--------------|-------------|-------------|-------------|--------------------------|----------------------------------|----------------------|
| Total | | | | | | |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 99 makes comprehensive amendments to the Medical Malpractice Act to clarify statutory definitions, restrict and cap punitive damages, modify liability and recovery limits by provider type, phase hospitals out of the Patient's Compensation Fund (PCF), and require PCF payments for medical care to be made as expenses are incurred rather than in lump sums.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

The UNM Health System—including UNM Hospital, the medical faculty of the UNM School of Medicine, and other public employees—is not covered under the New Mexico Medical Malpractice Act, NMSA 1978, Section 41-5-1 et seq. Instead, the UNM Health System and its public employees are subject to medical professional liability coverage exclusively under the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1 et seq., including the immunities and limitations on liability provided therein.

As the state's primary academic health system, the UNM Health System trains medical residents and fellows, medical students, pharmacy students, and nursing students. The system supports policies that promote a stable health care environment and expand access to care for New Mexicans, including measures that help reduce workforce shortages across health professions.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 107

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS