

LFC Requester:	Allegra Hernandez
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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: 1/23/2026 *Check all that apply:*
Bill Number: HB 99 Original Correction
 Amendment Substitute

Sponsor: Chandler, Armstrong, etc. **Agency Name and Code:** NM Hospital Assoc.
Short Title: MEDICAL MALPRACTICE CHANGES **Number:** _____
Person Writing: Julia Ruetten
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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:

Amends the Medical Malpractice Act in the following ways:

- Specifies that an “occurrence” of malpractice is not multiplied by the number of providers involved, prohibiting a single incident from result in multiple claims.
- Defines the “value of accrued medical care and related benefits” as the actual amount paid or owed, excluding any costs that are waived, written off, or reduced.
- Extends hospitals’ participation in the Patient’s Compensation Fund through 2029 and aligns the expiration of hospital qualification provisions with that date.
- Requires that payments from the PCF for medical and related care be made as expenses are incurred.
- Creates a new punitive damages section that allows such damages only upon clear and convincing evidence of malicious, willful, wanton, reckless, fraudulent, or bad-faith conduct by a provider; caps punitive damages at an amount equal to the compensatory damages cap; excludes punitive damages from payment by the PCF; and requires a bifurcated process in which punitive damages cannot be included in the initial claim and may proceed only after prima facie proof of intent is established.
- Applies the changes to all claims filed on or after the effective date of May 20.

As introduced, HB 99 would meaningfully reform New Mexico’s Medical Malpractice Act to address the leading drivers of our current medical malpractice environment that is contributing to our state’s access to care crisis. These reforms balance the rights of patients and their families to seek justice when they have been victims of an act of medical malpractice with the need to create an environment that supports healthcare providers to practice in New Mexico.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

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**