

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
**[AgencyAnalysis.nmlegis.gov](mailto:AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**  
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**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 107 **Original**  **Correction**    
**Amendment**   **Substitute**  

<b>Sponsor:</b> <u>Reps. Jones and Cullen</u>	<b>Agency Name and Code Number:</b> <u>University of New Mexico-952</u>
<b>Short Title:</b> <u>MEDICAL MALPRACTICE CLAIM CHANGES</u>	<b>Person Writing</b> <u>Kelly O'Donnell</u> <b>Phone:</b> <u>505-659-5702</u> <b>Email:</b> <u>kodonnell@unm.edu</u>

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

<b>Appropriation</b>		<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>		

**REVENUE (dollars in thousands)**

<b>Estimated Revenue</b>			<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>FY26</b>	<b>FY27</b>	<b>FY28</b>		

(Parenthesis ( ) indicate revenue decreases)

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

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

(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 107 amends the Medical Malpractice Act to revise statutory definitions, reduce and standardize damages caps, limit punitive damages and attorney fees in medical malpractice cases, and require that payments from the Patient's Compensation Fund (PCF) for medical care 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 99

### **TECHNICAL ISSUES**

### **OTHER SUBSTANTIVE ISSUES**

### **ALTERNATIVES**

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

### **AMENDMENTS**