

LFC Requester:	Joseph Simon
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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: 2/16/2026 *Check all that apply:*
Bill Number: HB132 Original Correcti
 Amendment Substitut

Sponsor:	<u>Cynthia Borrego, Marian Matthews, Nicole Chaves, Andrea Reeb, Luis M. Terrazas</u>	Agency Name and Code	<u>632</u>
Short Title:	<u>Police Officer Workers Comp Conditions</u>	Number:	_____
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
0	0	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
0	0	0	NA	NA

(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	NFI	NFI	NFI	NFI	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Does not duplicate/conflict with/not a companion to/does not relate to any other bill.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

The amended bill adds a new section (52-3-32.2) to the New Mexico Occupational Disease Disablement Law. The amended bill initially defines who qualifies as a “police officer” entitled to presumptions for three specified medical conditions defined below. Also, the amended bill adds a new definition for “noise induced hearing loss.”

Principally, the amended bill creates an evidentiary presumption that employment as a police officer is the proximate cause of three categories of injuries. The presumption applies if the condition was not revealed during an initial employment medical screening examination or during a subsequent medical review pursuant to the Occupational Health and Safety Act and its rules.

First, the amended bill creates a presumption between a police officer’s employment and post-traumatic stress disorder (PTSD) that results in physical impairment, mental impairment, or death. The amended bill deleted text in the original bill that would have limited the presumption to PTSD diagnosed after twenty (20) years for police officers hired on or before June 30, 2013. The original bill had the same limitation for PTSD diagnosed for police officers hired on or after July 1, 2013, requiring the PTSD to be diagnosed after twenty-five (25) years. The amended bill deletes this “20 year” and “25 year” language altogether.

Second, the amended bill creates a presumption between a police officer’s employment and a heart injury or stroke suffered within 24 hours of responding to or returning from a police call; while engaging in supervised physical training; or while responding to or performing in an emergency. The amended bill deleted text within the original bill which limited the presumption for a “heart issue” to ones suffered after twenty years (20) of employment for police officers hired before June 30, 2013, and twenty-five (25) years for police officers hired on or after July 1, 2013.

Third, while the original bill contained no language regarding hearing loss, the amended bill provides for a presumption between a police officer’s employment and “noise induced hearing loss” arising from an occupational exposure to loud sounds, either as a one-time blast or gradually over time, including tinnitus.

Of note, the amended bill deleted text from the original bill which had created a presumption for back pain due to a police officer wearing a duty belt as a condition of employment. The amended bill deletes entirely all references to back pain arising from a police officer wearing a duty belt.

The presumption for all three conditions can be rebutted by a preponderance of evidence in a court of competent jurisdiction by showing that the police officer’s conduct or activities outside of employment posed a significant risk of contracting or developing the condition or injury. Also, even in situations where the presumption does not apply, language in the amended bill

provides that a police officer may still pursue an occupational disease claim for the three noted conditions. In that situation, the police officer would need to establish medical causation through opinion testimony of a qualified physician.

The amended bill requires that an employer provide medical treatment for the covered injuries until the court determines the presumption does not apply or the injury is not job related. If a court determines this, the employer’s health insurance must reimburse the workers’ compensation insurance provider.

FISCAL IMPLICATIONS

The Workers’ Compensation Administration does not believe that there will be a fiscal impact on the agency. The WCA already has jurisdiction to adjudicate PTSD, hearing loss and heart injury/stroke claims by a police officer. The number of these claims filed with the agency is not significant.

SIGNIFICANT ISSUES:

The amended bill more closely tracks existing statutory language applicable to firefighters found in Section 52-3-32.1. Unlike the existing protections for firefighters, the amended police officer bill provides new protections arising from occupational hearing loss.

The WCA has analyzed claim data to determine the historic number of first report of injuries for police officers relative to hearing loss, heart problems and mental injury. A summary chart is set forth below.

Of note, these numbers track First Report of Injury filings with the WCA, and do not delineate further the specifics of the claim beyond broad categorizations for “hearing loss, heart problems and mental injury.” Also, the WCA is not able to further specify the extent of benefits paid on these claims. Again, the figures below are based on initial reports of injury made by the employer or its insurer to the WCA.

The chart below does not show a significant number of claims being reported for the three classes of injuries over a ten (10) year period.

Year	Hearing Loss	Heart Problems	Mental Injury	Total
2016	3	0	2	5
2017	0	1	3	4
2018	1	1	4	6
2019	4	2	5	11
2020	2	0	5	7
2021	3	0	8	11
2022	1	1	3	5
2023	2	1	3	6
2024	1	4	7	12

2025	3	1	4	8
Total	20	11	44	75

PERFORMANCE IMPLICATIONS: None.

ADMINISTRATIVE IMPLICATIONS: None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP: None.

TECHNICAL ISSUES: None.

OTHER SUBSTANTIVE ISSUES: None

ALTERNATIVES: None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Police officers will not have the benefit of a proximate-cause evidentiary presumption for PTSD, occupational hearing loss and heart injury or stroke arising from their job. While a police officer has always been able to pursue these claims under the Occupational Disease Disablement law, the police officer did not have the benefits of an evidentiary presumption.

AMENDMENTS: The original text of HB 132 has been substantially amended as noted above.