

LFC Requester:

Eric Chenier

**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: 01/29/2026

Check all that apply:

Bill Number: HB 172Original  Correction Amendment  Substitute Sponsor: Eleanor ChavezAgency Name  
and CodeAging and Long-Term Services  
Department - 6400Short SAFE STAFFING ACT &  
NURSING HOMES

Number:

Person Writing

Julie SanchezPhone: 505-629-2069Email Julie.sanchez@altsd.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

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

**REVENUE (dollars in thousands)**

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

(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 172 enacts the Safe Staffing Act, which requires the Health Care Authority (HCA) to establish and enforce minimum nurse-to-patient staffing ratios in hospitals statewide. The bill sets statutory minimum staffing ratios by hospital unit type, including, but not limited to, emergency departments, intensive care units, medical-surgical units, and behavioral health units. Hospitals are required to form nurse-led staffing committees, develop staffing plans consistent with the minimum ratios, adopt training and orientation policies, and submit semiannual staffing reports to HCA.

The bill creates a Statewide Staffing Advisory Committee to advise HCA on staffing standards and rulemaking. It authorizes HCA to promulgate rules governing staffing ratios for non-nurse staff, rural and critical access hospital adjustments, patient classification systems, and circumstances allowing temporary deviations from ratios. The bill establishes reporting requirements, an enforcement framework with escalating civil penalties, and waiver authority for rural and critical access hospitals. An emergency clause makes the act effective immediately.

#### **FISCAL IMPLICATIONS**

There is no fiscal impact of HB 172 for the New Mexico Aging and Long-Term Services Department (ALTSD).

#### **SIGNIFICANT ISSUES:**

The bill establishes minimum nurse-to-patient staffing ratios for hospitals without directly addressing existing registered nurse workforce shortages.<sup>1</sup> Implementation may increase competition for nursing staff across the health care continuum, potentially affecting staffing stability in long-term care and home and community-based service settings. Rural and critical access hospitals may face challenges meeting staffing requirements despite available waivers. In addition, the bill requires extensive rulemaking, data collection, monitoring, and enforcement by the HCA, which may present administrative and implementation challenges.

#### **PERFORMANCE IMPLICATIONS**

Although the bill applies directly to hospitals and is administered by HCA, it may have indirect performance implications for ALTSD programs and clients. Improved hospital nurse staffing levels may contribute to enhanced care quality and patient safety, potentially affecting discharge outcomes for older adults and individuals receiving long-term services and supports. Changes in hospital staffing patterns could influence hospital length of stay, discharge planning timelines, and transitions to home- and community-based services, which may impact ALTSD case management coordination.

#### **ADMINISTRATIVE IMPLICATIONS**

House Bill 172 assigns rulemaking, enforcement, data collection, and oversight responsibilities to HCA, not ALTSD.

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<sup>1</sup> Nursing Shortage (2023): <https://www.ncbi.nlm.nih.gov/books/NBK493175/>

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

**AMENDMENTS**