

LFC Requestor: Eric Chenier

2026 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House

Category: Bill

Number: 244

Type: Introduced

Date (of THIS analysis): 2/2/2026

Sponsor(s): Alan T. Martinez and Reena Szczepanski and Michelle Paulene Abeyta and Joshua N. Hernandez

Short Title: Hospital Price Transparency Act

Reviewing Agency: Agency 665 - Department of Health

Analysis Contact Person: Joshua Swatek

Phone Number: (505) 629-9142

e-Mail: Joshua.swatek@doh.nm.gov

Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 26	FY 27		
\$0	\$0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 26	FY 27	FY 28		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 26	FY 27	FY 28	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	N/A	N/A

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

HB244 proposes to enact the Hospital Price Transparency Act. The Act would require that hospitals publish various price information regarding services provided to consumers on the hospital's publicly accessible website, including standard charges for the hospital's items or services; and either a list of 300 "shoppable services" (elective services) provided by the hospital, or an internet-based price estimator tool that allows patients to generate personalized cost estimates.

The bill would authorize the NM Health Care Authority (HCA) to audit hospitals for compliance with the Act and allow individuals the ability to submit complaints to HCA regarding alleged noncompliance with the Act by hospitals.

If a hospital was found by HCA to be noncompliant with the Act on the date when an item or service provided to a patient, the hospital would be prohibited from initiating or pursuing a collection action against the patient or the patient's guarantor for a debt owed for the item or service "if the item or service is related to the noncompliance." The hospital's noncompliance would be deemed an affirmative defense against such a collection action, and the patient could be entitled to collect attorney fees and costs incurred relating to any such action.

The bill would also require that hospitals or debt collectors provide an easy-to-understand itemized statement of the debt owed by a patient, prior to commencing a collection action. The bill would require that a hospital or debt collector also provide a copy of the detailed receipts of any payments made to the hospital or debt collector by the patient within 30 days of the payment.

HB244 would also amend the Unfair Practices Act, Section 57-12-2, NMSA 1978, to specify that violating the Hospital Price Transparency Act constitutes an "unfair or

deceptive trade practice” within the terms of the Unfair Practices Act. Pursuant to that Act, unfair trade practices can result in an award for actual damages and other civil penalties.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

As noted, HB244 states that, if a hospital was found by HCA to be noncompliant with the Hospital Price Transparency Act on the date when an item or service was provided to the patient, the hospital would be prohibited from initiating or pursuing a collection action against the patient or the patient’s guarantor for a debt owed for the item or service “if the item or service is related to the noncompliance.” The bill does not explain what it means for an item or service to be “related” to noncompliance. Given that noncompliance would typically refer to a failure by a hospital to post prices of services on its website, this could mean that a debt would be uncollectable unless the price of that service was specified on the hospital’s website. However, if that is the intention of the bill, then it would be best if the bill said that in clearer terms. As currently written, this provision (at Sections 4(E) and 4(F)(2)) could be interpreted as being unconstitutionally vague and therefore unenforceable.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No

HB244 would primarily require that hospitals operated by NMDOH post price information regarding their services.

- Is this proposal related to the NMDOH Strategic Plan? Yes No

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

Theoretically, HB244 could impact the ability of NMDOH hospitals to collect an unpaid medical debt.

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None.

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

None.

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

None.

9. HEALTH IMPACT(S)

None.

10. ALTERNATIVES

None.

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB244 is not enacted, the Hospital Price Transparency Act will not be enacted, and the Unfair Practices Act will not be amended to specify that a violation of the Hospital Price Transparency Act constitutes unfair trade practice.

12. AMENDMENTS

None.