

LFC Requester:

Chilton, Lance

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: 2/12/2026

Check all that apply:

Bill Number: HB 279

Original Correction

Amendment Substitute

Agency Name

and Code

Secretary of State - 370

Number:

Sponsor: Christine Chandler

Person Writing

Analysis:

Lindsey Bachman

**Short
Title:**

HEALTHCARE INFO
PRIVACY PROTECTIONS

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

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		\$95.0	\$97.9	\$100.8	Recurring	General

(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:

HB 279 proposes to amend statutes that address privacy protection for electronic medical records, location tracking at reproductive health care provider facilities, licensing requirements for certain hospitals, and providers who prescribe drugs for reproductive health care. Most germane to the Secretary of State's Office (SOS), HB 279 also provides for reproductive and gender-affirming health care providers to participate in the Confidential Substitute Address Act, Section 40-13B-1, et seq. NMSA 1978, which is administered by the SOS.

Currently, the Confidential Substitute Address Act (CSA) provides a process by which a victim of domestic violence may protect the confidentiality of the victim's residential and delivery addresses in public records. The SOS designates a confidential substitute address for certified participants, and receives mail and deliveries sent to that substitute address, then forwards the mail to the participant's delivery address at no charge to the participant. Sections 12 and 13 of HB 279 propose to include "protected health care providers" as eligible participants in the CSA Act.

The bill does not have an effective date, and therefore would be effective on May 20, 2026, if passed by the legislature and signed by the Governor.

FISCAL IMPLICATIONS

The SOS's Confidential Substitute Address program, *Safe at Home*, currently has approximately 206 participants, with new applications received regularly. The program's administration is currently managed by one FTE, and any significant increase in participation as a result of the passage of HB 279 may require adequate appropriations for additional staffing. The base salary for a *Safe at Home* coordinator position is \$61,500 and estimated to be fully burdened at \$95,000.

If passed, the SOS will also have additional administration duties associated with education and compliance. The full funding of the SOS's budget request is necessary to keep up with the volume of work associated with all of the statutory duties supported by the office.

SIGNIFICANT ISSUES

The administration of the confidential substitute address program is an important part of the work of the SOS. As mentioned above, the program currently allows survivors of domestic violence, sexual assault or stalking to receive mail using a designated address as a substitute for their own, while keeping their actual address confidential. When participants in the program enter into business relationships with state, city, and other agencies, the use of the fictitious address maintains the participant's confidentiality. It also relieves those government agencies of the difficult and costly responsibilities of maintaining confidential records. In this way, certified participants are at

a reduced risk from being tracked using public records.

Section 12.H of the HB 279 defines “protected health care provider” as a natural person engaging in “protected health care activity” as defined in the Reproductive and Gender-Affirming Health Care Protection Act, Section 24-35-1, et seq., NMSA 1978. The definition of protected health care activity found there is broad in scope and includes seeking, providing or receiving reproductive or gender-affirming health care, or assisting an individual who seeks same by providing information, transportation, lodging, or material support. Thus, the definition of “protected health care provider” as used in HB 279 is not limited to professional health care providers but can include anyone engaged in providing information, transportation, lodging, or material support to a person who seeks, provides, or receives reproductive or gender-affirming health care.

Additionally, Section 13.B of HB 279 proposes new language that states “an application submitted by a protected health care provider shall only require the provider’s signature confirming the provider’s status as a protected health care provider” and removes the existing requirement of an application assistant who must also sign a domestic violence victim’s application. An application assistant is a person who works or volunteers for a domestic violence or sexual assault program in New Mexico, and who attests that the applicant complies with the requirements to participate. Typically, domestic violence victims are required to bring police reports, court orders, restraining orders, or other validating documentation. Although the SOS is not opposed to the broadening of the scope of the confidential substitute address program, the combination of the broad definition of protected health care provider in HB 279 and the self-attestation of eligibility may lead to increased participation levels which the SOS is not presently equipped or funded to accommodate.

It should also be noted that HB 279 proposes to exempt protected health care providers from the requirement that the applicant must have relocated within the past ninety (90) days or be in the process of relocating within the next ninety (90) days to an address unknown to their abuser.

And though it’s important, this confidential program is only one step in a long-term, personal security strategy. Survivors can receive help in developing their personal security strategy and finding resources and ideas at a domestic violence or sexual assault program in their area. If added as eligible participants to the program, protected health care providers would also need to explore additional resources for a comprehensive approach to their personal security.

The SOS provides information for survivors on how to participate in the program on its website “Safe at Home Eligibility & FAQs”. Information is also available to the public toll-free by calling 1-800-477-3632, emailing Safe.SOS@sos.nm.gov, or sending direct mail to P.O. Box 1888, Santa Fe, NM 87504.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

Existing forms will need to be revised to accommodate the changes in process and eligibility contemplated by HB 279.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS