

LFC Requester:

RubyAnn Esquibel

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis) 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: 1-29-2026

Check all that apply:

Bill Number: SB175Original Correction Amendment Substitute

Sponsor:	<u>Brandt/Tobiassen</u>	Agency Name and Code Number:	<u>Office of Superintendent of Insurance-440</u>
	<u>MEDICAL</u>	Person Writing	<u>Stephen Thies</u>
Short Title:	<u>MALPRACTICEPUNITIVE DAMAGES</u>	Phone:	<u>505-470-7366</u> : <u>Stephen.Thies@osi.nm.gov</u>

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

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

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						

(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:

SB 175 would amend the Medical Malpractice Act to prohibit awards of punitive damages as well as “any other exemplary damages” in medical malpractice lawsuits.

FISCAL IMPLICATIONS

There will be no immediate premium reductions as punitives are not paid by primary carriers or the PCF. The long term impact will be reduced settlement counts and values as the threat of punitive damages no longer influences settlement decisions.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS