

HOUSE HEALTH AND HUMAN SERVICES COMMITTEE SUBSTITUTE FOR
HOUSE BILL 195

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO JUDGMENTS; PROHIBITING THE COLLECTION OF MEDICAL
MALPRACTICE JUDGMENTS FROM AN INDEPENDENT PROVIDER'S PERSONAL
INCOME OR ASSETS, EXCEPT IN CERTAIN CASES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 42, Article 10 NMSA
1978 is enacted to read:

"[NEW MATERIAL] JUDGMENTS AGAINST INDEPENDENT PROVIDERS. --

.233634.3AIC February 15, 2026 (2:59pm)

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A. A plaintiff who makes a medical malpractice claim shall not pursue, collect or execute on a judgment against the personal income of an independent provider or the personal assets owned by an independent provider if the court finds that the independent provider maintained:

(1) qualification under the provisions of the Medical Malpractice Act pursuant to Section 41-5-5 NMSA 1978; or

(2) an insurance policy with a policy limit on recovery of at least one million dollars (\$1,000,000) per occurrence.

B. For the purposes of this section, "independent provider" means a natural person who is a licensed physician, **HJC→osteopathic physician, ←HJC** chiropractic physician, podiatric physician, certified registered nurse anesthetist, physician assistant, certified nurse practitioner, certified clinical nurse specialist or certified nurse-midwife."

SECTION 2. APPLICABILITY.--The provisions of this act apply to all medical malpractice claims brought on or after the effective date of this act.

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