

HOUSE HEALTH AND HUMAN SERVICES COMMITTEE SUBSTITUTE FOR
HOUSE BILL 195

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

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.--

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;

.233634.3

underscored material = new
[bracketed material] = delete

1 or

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

5 B. For the purposes of this section, "independent
6 provider" means a natural person who is a licensed physician,
7 chiropractic physician, podiatric physician, certified
8 registered nurse anesthetist, physician assistant, certified
9 nurse practitioner, certified clinical nurse specialist or
10 certified nurse-midwife."

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

14 - 2 -

15

16

17

18

19

20

21

22

23

24

25