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FISCAL IMPACT REPORT

BILL NUMBER: Senate Bill 247

SHORT TITLE: NM Medical Review Commission Report

SPONSOR: Woods

LAST ORIGINAL
UPDATE: _____ **DATE:** 2/17/2026 **ANALYST:** Esquibel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Judiciary		Indeterminate but minimal	Indeterminate but minimal		Recurring	General Fund

Parentheses () indicate expenditure decreases.
*Amounts reflect most recent analysis of this legislation.

Relates to House Bill 99 and Senate Bill 175.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

- New Mexico Medical Board
- Office of Superintendent of Insurance
- University of New Mexico Health Sciences Center

Agency or Agencies That Were Asked for Analysis but did not Respond

- Administrative Office of the Courts
- Attorney General’s Office
- Burrell College of Osteopathic Medicine
- New Mexico Hospital Association
- New Mexico Medical Society

SUMMARY

Synopsis of Senate Bill 247

Senate Bill 247 (SB247) would amend the Medical Malpractice Act to allow a limited evidentiary use of medical review panel reports in civil litigation. Under current law, the findings of a New Mexico Medical Review Commission panel are generally inadmissible in court. The bill creates a narrow exception permitting the panel’s written report to be admitted solely for the purpose of defending against a plaintiff’s claim for punitive damages when the panel determines that there is insufficient evidence of medical malpractice or no reasonable medical probability of patient injury. The panel’s findings would remain nonbinding and could not be used to establish

or negate liability or compensatory damages. The bill retains existing confidentiality protections for panel deliberations and preserves the advisory nature of the panel process.

SB247 proposes technical and clarifying amendments to statutory definitions within the Medical Malpractice Act, including terminology related to podiatric physicians and updating the Health Care Code is the section of law defining classification of hospitals, outpatient facilities, and independent providers.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

FISCAL IMPLICATIONS

The Office of Superintendent of Insurance reports that under the provisions of the bill, there is no financial impact to medical malpractice premiums or patient's compensation fund (PCF) surcharges as punitive damages are not paid out of primary insurance or the PCF.

It is unclear if there would be a significant fiscal impact under the provisions of the bill on the state judicial system.

SIGNIFICANT ISSUES

UNM Health Sciences Center states as the state's primary academic health system, the UNM Health System trains medical residents and fellows, medical students, pharmacy students, and nursing students. The system supports policies that promote a stable health care environment and expand access to care for New Mexicans, including measures that help reduce workforce shortages across health professions.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 247 relates to House Bill 99, Medical Malpractice Changes, and Senate Bill 175, Medical Malpractice Punitive Damages.

RAE/rl/dw