

LFC Requester:

Lance Chilton

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://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:** February 21, 2025 *Check all that apply:***Bill Number:** SB 57 Original ☐ Correction ☒ X_
Amendment ☐ Substitute ☐

Sponsor:	Sens. Wirth & Nava and Rep. Szczepanski	Agency Name and Code Number:	University of New Mexico-952
Short Title:	Medical Provider Patient IPRA Info	Person Writing	Kelly O'Donnell
		Phone:	5056595702
		Email	kodonnell@unm.edu

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

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	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 57 amends the Inspection of Public Records Act (IPRA) to except from disclosure any record containing personal identifying information or sensitive information related to the practice of a medical provider who performs medical services related to abortion

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

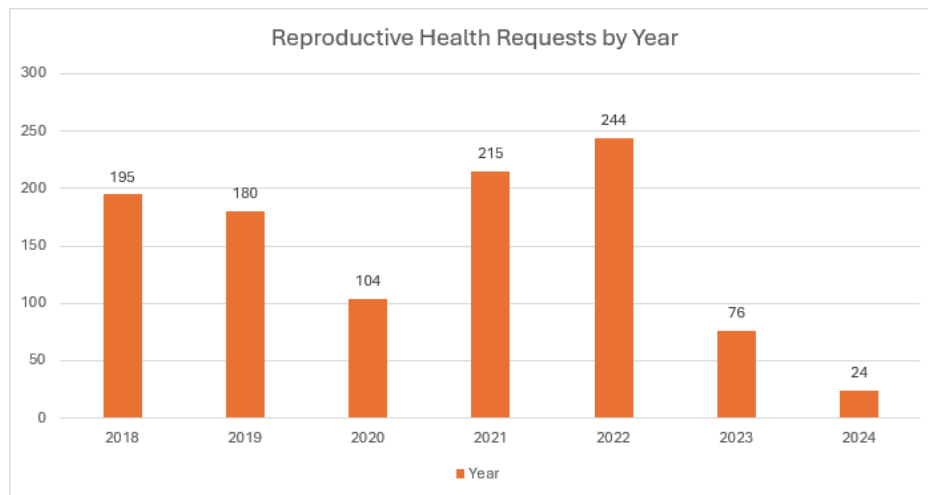
IPRA requests that target abortion providers put those providers and their contacts (including other abortion providers) at risk. Abortion providers already face rapidly increasing levels of violence and disruption.¹

Although IPRA only applies to employees of public institutions, public employees' work emails often include other abortion providers, colleagues from other institutions, students, residents, faculty and staff. People whose work and/or emails relate to reproductive health may face safety concerns when emails are shared.

The exemption provided in SB 57 has the potential to substantially reduce the burden on the University of New Mexico IPRA Office. Over the past 10 years, a significant amount of time and effort has been expended by UNM faculty and employees in responding to numerous inspection requests from dubious sources such as individuals who appear to be using pseudonyms or those who do not include telephone numbers despite the requirements of IPRA. Many of these requests originate from outside New Mexico. IPRA requests have targeted UNM abortion providers for wide-ranging, continual random searches of emails.

IPRA requests pertaining to the Center for Reproductive Health (CRH) or its employees constitute roughly one-third of the 600-650 IPRA requests UNM receives in a typical year. The chart below depicts IPRA requests received by UNM pertaining to the Center for Reproductive Health (CRH) or its employees. UNM typically receives over 100 such requests annually, with a notable lull in 2024.

¹ 2022 Violence and disruption statistics; National abortion federation, accessed at <https://prochoice.org/wp-content/uploads/2022-VD-Report-FINAL.pdf> 2022



The New Mexico IPRA law is expansive; requests may be made for “idle curiosity,” and redactions are limited to specific circumstances that may not address safety issues for the people whose emails are being read by those ideologically opposed to abortion.

In addition to compromising provider safety, overly broad IPRA requests reduce the time providers can devote to patient care.

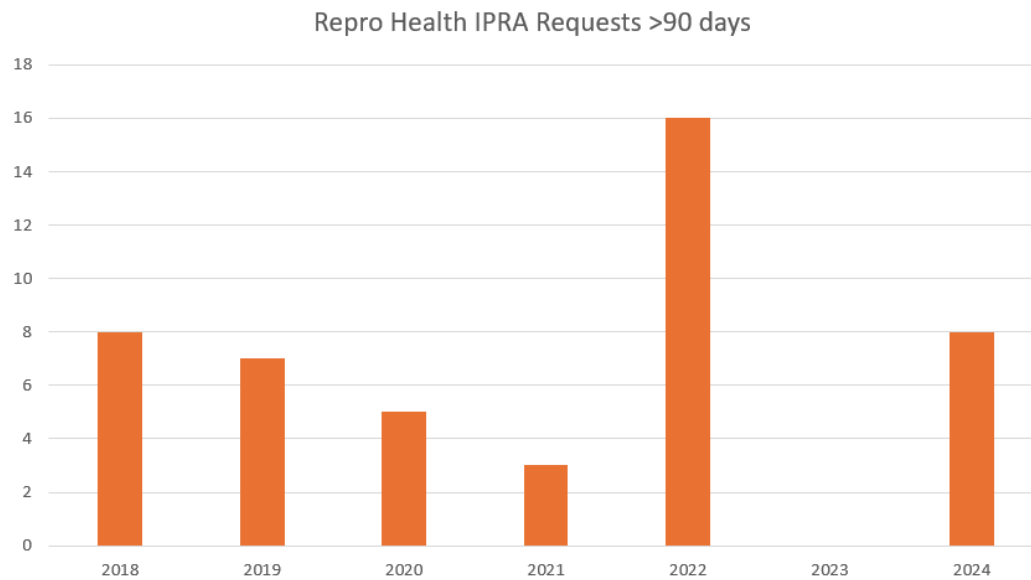
When an IPRA request is received, the IPRA office works with the Department of OB-GYN to do searches for responsive documents. Given the wide-ranging nature of the requests (e.g., all emails in a year), hundreds of emails may be responsive to a single request.

The IPRA office then goes through the documents line by line, redacting information that is exempt, e.g., individuals’ schedules, trade secrets of other organizations.

Each such request typically generates between 100 and 250 pages of responsive emails which need to be reviewed and additionally redacted by the provider as below.

The provider whose documents have been pulled as responsive then reviews the emails to ensure that all appropriate redactions have been made. Providers frequently point out additional areas that could jeopardize people’s safety or, for example, are protected under research protocols or are unpublished academic work.

The chart below shows requests that took more than 90 days to resolve; the majority of these require significant physician review as described above.



New Mexico has put into place many protections for both the patients who access reproductive health care, including abortion care, and the clinicians who provide that care. IPRA is being abused to circumvent those protections and harass physicians and other healthcare providers. Voluminous and onerous IPRA requests undermine workplace morale and productivity.

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