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FISCAL IMPACT REPORT

SPONSOR <u>Campos</u>	LAST UPDATED _____ ORIGINAL DATE <u>3/19/2025</u>
SHORT TITLE <u>Medical Malpractice Task Force</u>	BILL NUMBER <u>Senate Memorial 25</u>
ANALYST <u>Chenier</u>	

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT*

(dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
		No fiscal impact	No fiscal impact	No fiscal impact		

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From
Office of Superintendent of Insurance (OSI)

SUMMARY

Synopsis of Senate Memorial 25

Senate Memorial 25 would request that the Office of Superintendent of Insurance, Department of Health, and the Health Care Authority convene a joint task force concerning New Mexico’s medical malpractice system. The task force would be charged with examining the medical malpractice system in New Mexico, identifying issues in the system, and recommending solutions to those issues in the form of a report sent to two legislative committees. The task force would be made up of the following individuals:

- Four members representing the interests of injured patients, appointed by the governor, speaker of the House of Representatives, the president pro tempore of the Senate, and the minority floor leader of the House of Representatives, respectively;
- Four members representing the interests of health care providers, appointed by the governor, majority floor leader of the House of Representatives, the majority floor leader of the Senate, and the minority floor leader of the Senate, respectively;
- Two members representing the medical malpractice insurance industry, appointed by the governor and the superintendent of insurance, respectively;
- The superintendent of insurance;

- The secretary of health; and
- The secretary of the health care authority.

The task force would submit a report on its findings to the Legislative Health and Human Services Committee and the Legislative Finance Committee by December 1, 2025.

FISCAL IMPLICATIONS

Memorials do not contain an appropriation nor are enforceable as state law. The costs here are connected to the time of working group members and could be considered a normal part of doing business.

SIGNIFICANT ISSUES

As the memorial states, all health care providers covered by the Medical Malpractice Act are required to carry malpractice insurance and health care providers have identified high premiums for medical malpractice as one of the reasons for the medical provider shortage. The memorial also states that it is essential to have a fair and equitable medical malpractice system to balance the rights of patients with the necessity of making New Mexico an attractive place for health care providers to practice.

EC/hj