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SENATE MEMORIAL 25

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Pete Campos

A MEMORIAL

REQUESTING THE OFFICE OF SUPERINTENDENT OF INSURANCE, THE DEPARTMENT OF HEALTH AND THE HEALTH CARE AUTHORITY TO CONVENE A JOINT TASK FORCE TO EXAMINE THE MEDICAL MALPRACTICE SYSTEM IN NEW MEXICO TO IDENTIFY ISSUES IN THE SYSTEM AND RECOMMEND SOLUTIONS TO THOSE ISSUES.

WHEREAS, the Medical Malpractice Act is necessary to make patients who are injured due to negligence whole and to promote patient safety in New Mexico; and

WHEREAS, all health care providers covered by the Medical Malpractice Act are required to carry malpractice insurance; and

WHEREAS, New Mexico is experiencing a massive health care provider shortage; and

WHEREAS, many health care providers have identified many

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1 contributors to the provider shortage, including high premiums
2 for medical malpractice insurance and low levels of
3 reimbursement for services; and

4 WHEREAS, there may be many factors that could contribute
5 to increases in insurance premiums; and

6 WHEREAS, it is essential to have a fair and equitable
7 medical malpractice system to balance the rights of patients
8 with the necessity to make New Mexico an attractive place for
9 health care providers to practice;

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
11 OF NEW MEXICO that the office of superintendent of insurance,
12 the department of health and the health care authority be
13 requested to convene a joint task force to examine the medical
14 malpractice system in New Mexico to identify issues in the
15 system and recommend solutions to those issues; and

16 BE IT FURTHER RESOLVED that the task force be composed of
17 a diverse group of members representing stakeholders throughout
18 the medical malpractice and health care provider systems,
19 including:

20 A. four members who represent the interests of
21 patients affected by medical malpractice, appointed as follows:

- 22 (1) one member appointed by the governor;
23 (2) one member appointed by the speaker of the
24 house of representatives;
25 (3) one member appointed by the president pro

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1 tempore of the senate; and

2 (4) one member appointed by the minority floor
3 leader of the house of representatives;

4 B. four members who represent the interests of
5 health care providers, appointed as follows:

6 (1) one member appointed by the governor;

7 (2) one member appointed by the majority floor
8 leader of the house of representatives;

9 (3) one member appointed by the majority floor
10 leader of the senate; and

11 (4) one member appointed by the minority floor
12 leader of the senate;

13 C. two members who represent the medical
14 malpractice insurance industry, appointed as follows:

15 (1) one member appointed by the governor; and

16 (2) one member appointed by the superintendent
17 of insurance;

18 D. the superintendent of insurance;

19 E. the secretary of health; and

20 F. the secretary of health care authority; and

21 BE IT FURTHER RESOLVED that the task force be requested to
22 submit a report on its findings to the legislative health and
23 human services committee and the legislative finance committee
24 by December 1, 2025; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

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1 transmitted to the governor, the superintendent of insurance,
2 the secretary of health, the secretary of health care authority
3 and the co-chairs of the New Mexico legislative council.

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