

LFC Requester:	RubyAnn Esquibel
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

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: 02/12/2025 *Check all that apply:*
Bill Number: HB 379 Original Correction
 Amendment Substitute

Sponsor: Rod Montoya and Gail Armstrong **Agency Name and Code Number:** New Mexico Medical Board-446
Person Writing Analysis: Monique Parks, Interim Exec. Director
Short Title: Limit Medical Malpractice **Phone:** 505-490-3903 **Email:** moniquem.parks@nm
Requiring: Punitive Damages **Phone:** 3903 **:** mb.nm.gov

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						
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(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:

HB379- Limits the amount of a punitive damage award in a medical malpractice claim to a maximum of 30 times the state median annual household income at the time the award is made. Punitive damages may only be awarded if the prevailing party provides clear and convincing evidence that the acts of the health care provider were made with deliberate disregard for the rights or safety of others.

FISCAL IMPLICATIONS

None for The New Mexico Medical Board

SIGNIFICANT ISSUES

None for The New Mexico Medical Board

PERFORMANCE IMPLICATIONS

None for The New Mexico Medical Board

ADMINISTRATIVE IMPLICATIONS

None for The New Mexico Medical Board

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for The New Mexico Medical Board

TECHNICAL ISSUES

None for The New Mexico Medical Board

OTHER SUBSTANTIVE ISSUES

The New Mexico Medical Board notes that not all health care providers are included in this language. Health care providers in New Mexico also include Pharmacist Clinicians and Naturopathic Physicians.

ALTERNATIVES

None for The New Mexico Medical Board

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None for The New Mexico Medical Board

AMENDMENTS

None for The New Mexico Medical Board

