

HOUSE BILL 236

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

INTRODUCED BY

Jenifer Jones

AN ACT

RELATING TO HEALTH CARE; REQUIRING NOTICE BE PROVIDED TO PATIENTS SEEKING MEDICATION ABORTIONS; PROVIDING PENALTIES; CREATING A PRIVATE RIGHT OF ACTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] NOTICE TO MEDICATION ABORTION PATIENTS.--

A. As used in this section:

(1) "medical emergency" means a condition that, in reasonable medical judgement, so complicates the medical condition of a patient as to necessitate the immediate abortion of the pregnancy to avoid the patient's death, or for which a delay will create serious risk of substantial and irreversible physical impairment of a major bodily function;

(2) "medication abortion" means the use or

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1 prescription of any drug for the purpose of inducing an  
2 abortion; and

3 (3) "mifepristone" means the drug  
4 mifepristone, including any official, generic or chemical name  
5 used to describe mifepristone, prescribed for a medication  
6 abortion.

7 B. Any office, clinic, hospital, pharmacy or other  
8 health care facility where mifepristone is prescribed,  
9 dispensed or administered for the purpose of inducing a  
10 medication abortion shall post a conspicuous sign in a place  
11 clearly visible to patients and customers, printed with  
12 lettering that is legible and at least three-fourths of an inch  
13 in boldface type, that shall read:

14 "NOTICE TO PATIENTS HAVING MEDICATION ABORTIONS THAT USE  
15 MIFEPRISTONE: Mifepristone, also known as RU-486 or mifeprex,  
16 alone is not always effective in ending a pregnancy. It may be  
17 possible to reverse the drug's intended effect if the second  
18 pill or tablet has not been taken or administered. If you  
19 change your mind and wish to try to continue the pregnancy, you  
20 can get immediate help by accessing available resources."

21 C. An office, clinic or other health care facility  
22 that is not a hospital or pharmacy where mifepristone is  
23 prescribed, dispensed or administered for the purpose of  
24 inducing a medication abortion shall post the sign required by  
25 Subsection B of this section in each patient waiting room and

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1 patient consultation room used by patients seeking medication  
2 abortions.

3 D. A hospital where mifepristone is prescribed,  
4 dispensed or administered for the purpose of inducing a  
5 medication abortion shall post the sign required by Subsection  
6 B of this section in each patient admission area used by  
7 patients seeking medication abortions.

8 E. A pharmacy where mifepristone is prescribed,  
9 dispensed or administered for the purpose of inducing a  
10 medication abortion shall post the sign required by Subsection  
11 B of this section in the area inside the premises where  
12 customers are provided prescription medications and on the  
13 exterior of the premises in the area where customers are  
14 provided prescription medications via a drive-through window.

15 F. Except in the case of a medical emergency, no  
16 physician shall provide, induce or attempt to provide or induce  
17 a medication abortion that uses mifepristone without providing  
18 the patient written notice at least twenty-four hours prior to  
19 the medication abortion that includes information on:

20 (1) the possibility of reversing the intended  
21 effects of a medication abortion that uses mifepristone; and

22 (2) resources for reversing a medication  
23 abortion, including contact information that the patient can  
24 use to obtain timely assistance to attempt to reverse the  
25 medication abortion.

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1           G. When a medical emergency compels the performance  
2 of a medication abortion that uses mifepristone, the physician  
3 shall inform the patient, prior to the medication abortion if  
4 possible, of the medical indications supporting the physician's  
5 judgment that an abortion is necessary to avert the patient's  
6 death or that a twenty-four-hour delay would create serious  
7 risk of substantial and irreversible impairment of a major  
8 bodily function, excluding psychological or emotional  
9 conditions.

10           H. By September 1, 2025, the department of health  
11 shall publish materials on the department's website to provide  
12 information on:

13                   (1) the possibility of reversing the intended  
14 effects of a medication abortion that uses mifepristone; and

15                   (2) resources available to reverse the effects  
16 of a medication abortion that uses mifepristone.

17           I. The health care authority shall assess a fine  
18 not to exceed ten thousand dollars (\$10,000) to any office,  
19 clinic, hospital, pharmacy or other health care facility that  
20 fails to post a sign required by Subsection B of this section.

21           J. If a physician provides a medication abortion  
22 using mifepristone in violation of this section, the following  
23 individuals may bring a civil action in a court of competent  
24 jurisdiction against the physician for compensatory damages,  
25 punitive damages and any other appropriate relief:

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(1) the patient that was provided  
mifepristone; or

(2) the patient's biological parents, if the  
patient was not eighteen years of age or older at the time of  
the medication abortion, or if the patient died as a result of  
the medication abortion.