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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Torres-Velásquez/Stefanics/Herndon</u>	<b>LAST UPDATED</b> _____
	<b>ORIGINAL DATE</b> <u>2/27/25</u>
<b>SHORT TITLE</b> <u>Protections for Safe Harbor Nurses</u>	<b>BILL NUMBER</b> <u>House Bill 465</u>
	<b>ANALYST</b> <u>Klundt</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			

Parentheses ( ) indicate expenditure decreases.  
\*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

Agency Analysis Received From  
Board of Nursing  
New Mexico Office of the Attorney General (NMAG)

### SUMMARY

House Bill 465 (HB465) proposes protections for nurses who invoke “safe harbor.” The bill amends Section 61-3A-3 NMSA 1978, allowing nurses to invoke safe harbor if they believe an assignment exceeds their competencies or if they question the medical reasonableness of another provider’s order. It mandates that health care facilities establish a process for nurses to invoke safe harbor, including notifying supervisors, documenting the invocation, conducting post-occurrence reviews (which now must inquire about any perceived retaliation), and documenting resolutions. Importantly, the bill prohibits health care facilities and their personnel from retaliating against nurses who make a good faith request for safe harbor.

### FISCAL IMPLICATIONS

No fiscal impact identified.

### SIGNIFICANT ISSUES

At least five states have similar safe harbor protection for nurses while other states rely on whistle blower laws. The levels of protection and enforcement vary widely for these states. The New Mexico Office of the Attorney General noted the bill may consider defining the term “bully” or “bullying” or incorporating the definition located in Section 22-35-2 NMSA 1978.

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