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| <b>LFC Requester:</b> | <b>RubyAnn Esquibel</b> |
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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 378 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 Damages **Phone:** 505-490-3903 **Email:** moniquem.parks@nm.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 |
|------|------|------|-------------------|---------------------------|---------------|
|      |      |      |                   |                           |               |

|              |  |  |  |  |  |  |
|--------------|--|--|--|--|--|--|
| <b>Total</b> |  |  |  |  |  |  |
|--------------|--|--|--|--|--|--|

(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:

HB378- Amends the Medical Malpractice Act to limit the amount of recovery for a medical malpractice claim to \$600,000 per occurrence. Limits a health care provider's personal liability to \$200,000, with any excess to be paid from the Patient's Compensation Fund.

**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