



**MEDICAL PROFESSIONAL  
LIABILITY ASSOCIATION**

February 14, 2026

Nick Autio  
New Mexico Medical Society  
316 Osuna Rd, NE  
Suite 501  
Albuquerque, NM 87107

Dear Mr. Autio:

Thank you for the opportunity to review the latest draft of the House Judiciary Committee substitute amendment to HB 99. We appreciate having the opportunity to comment on this proposal.

As you are aware, New Mexico's medical liability environment has long been an outlier in the United States. Over the last 20 years, the state has seen 50 percent more paid medical liability claims per capita than any of its neighbors, including 200 percent more than Texas. Since 2002, neighboring states saw a 25-percent reduction in paid claims per capita, and the United States as a whole saw a 38-percent reduction per capita. Meanwhile New Mexico's paid claims rose 42 percent. The results are predictable – New Mexico medical liability premiums have risen substantially higher than in neighboring states. Even with these increases insurers have struggled severely. The medical liability insurance industry has suffered operating losses every year for more than 15 years, one of only three states having such a consistently dire climate.

As drafted, HB 99 would make significant strides toward improving the medical liability environment in the state. Proposed statutory language regarding punitive damages better defines when such damages are applicable and requires evidence that such damages requests are appropriate before being made part of the claim. This brings New Mexico more in line with many other states, while not going as far as those that have prohibited punitive damages in medical liability claims altogether. In addition, the added definition of "value of accrued medical care and related benefits" brings New Mexico into alignment with most of its neighboring states in ensuring that medical damages reflect actual costs and not largely inflated billing amounts. These changes, in addition to others made in the bill, represent a reasonable approach to addressing some of the most detrimental aspects of New Mexico's current medical liability environment while maintaining the important focus on patient needs.

Thank you again for the opportunity to comment on this important legislation. Should you need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael C. Stinson', is written over a horizontal line.

Michael C. Stinson  
Senior Vice President, Public Policy and Legal Affairs