

# New Mexico Medical Malpractice Summary and Statistics

By David Belk MD

Tort Reform Law: §41-5-6. Total: \$600,000 except for past/future medical bills and punitive damages. Maximum provider liability is \$200,000 with the rest paid by compensation fund.

Effective 1995

	2012-2016 Average	State Rank
Annual Per Capita <sup>1</sup> Malpractice costs: All Providers <sup>2</sup>	\$19.14	8
Annual Per Capita Malpractice costs: MD/DO only	\$16.35	8
Annual Claims per 1 Million Residents	57.4	6
Annual Claims per 100 Practicing Physicians	1.84	6

Table showing the average amount paid per capita<sup>1</sup> each year in New Mexico from 2012-2016 for medical malpractice claims against all practitioners as well as against physicians (MD and DO's) only. It also shows the number of paid claims per million residents and per 100 practicing physicians in New Mexico those years.

Brief summary: New Mexico has a very strict medical malpractice tort reform law. The cap on *total* damages excluding medical bills in New Mexico is \$600,000 for medical malpractice cases. In spite of this cap, New Mexico has malpractice costs that are much higher than the national average and, unlike with the rest of the U.S., these costs been going up in recent years.

## Notes

- 1) Total amount paid in medical malpractice claims in the state each year/ the state's Population.
- 2) All practitioners includes physicians, podiatrists, dentists, nurses, hygienists, pharmacists, pharmacy techs, lab techs, physical therapists, etc...

## Sources

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<http://www.nolo.com/legal-encyclopedia/state-state-medical-malpractice-damages-caps.html>

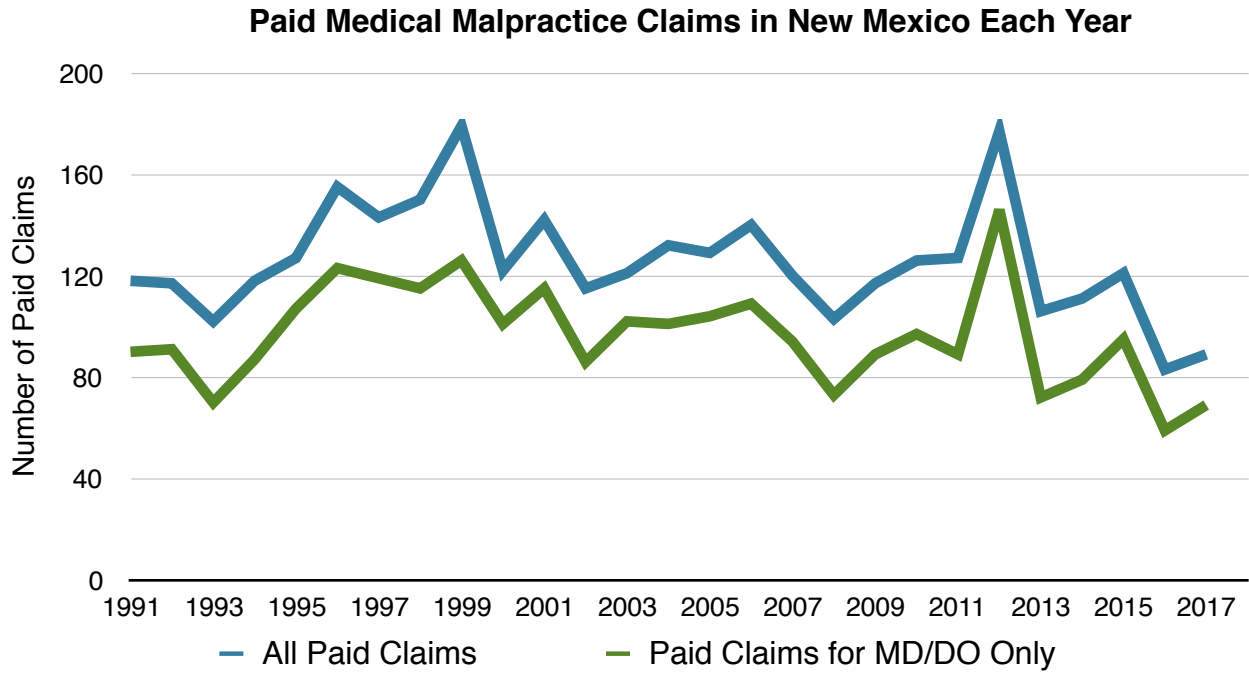
<http://www.ncsl.org/research/financial-services-and-commerce/medical-liability-medical-malpractice-laws.aspx>

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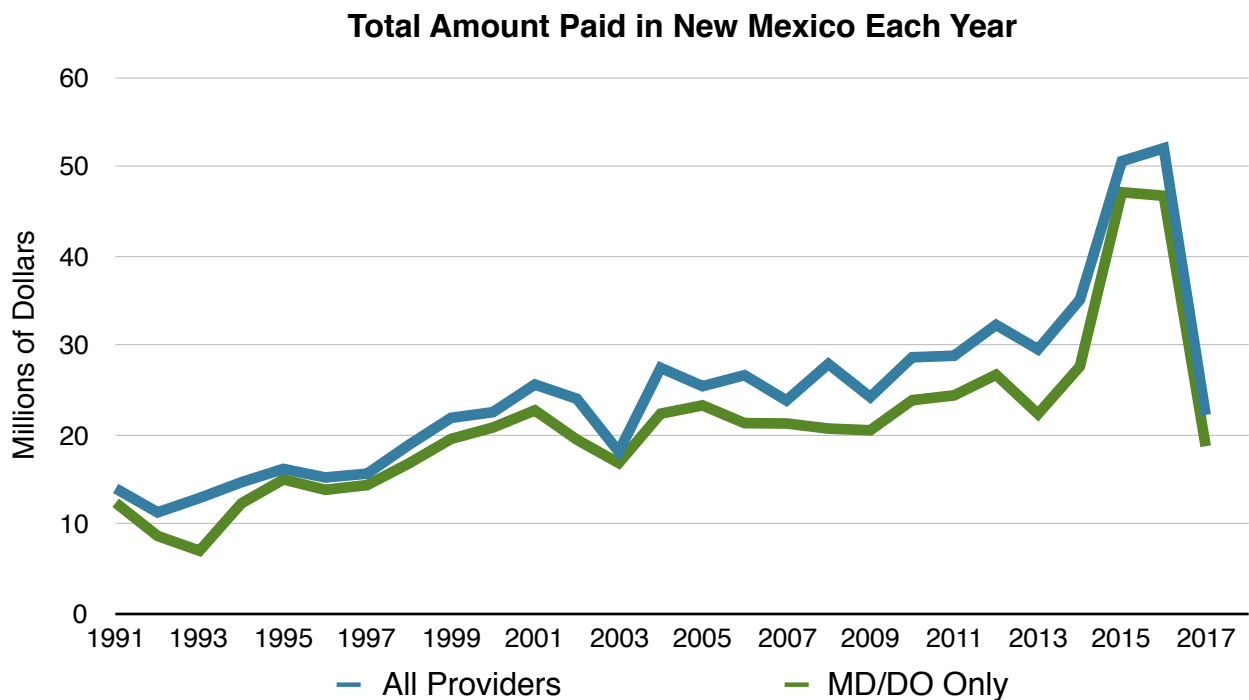
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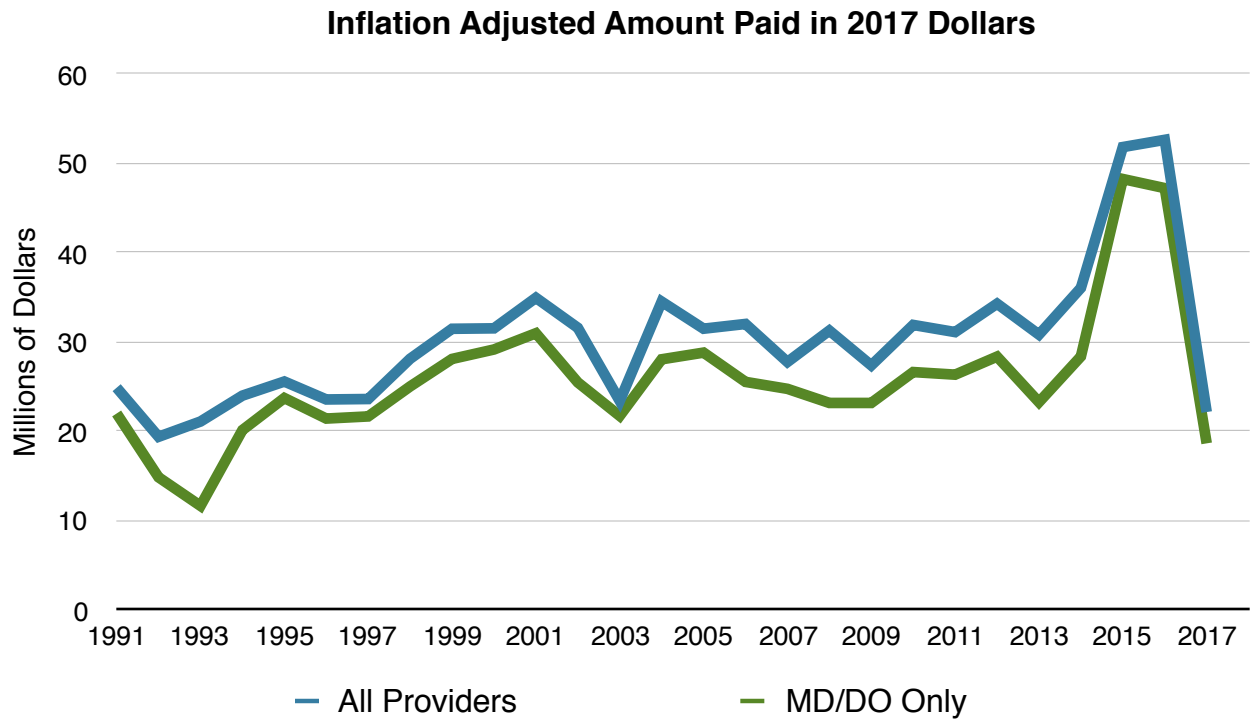
**Graphic Summary of Medical Malpractice Incidence and Cost for New Mexico from 1991-2017**



**Figure 1:** Total number of paid medical malpractice claims for New Mexico from 1991-2017 for all health care practitioners combined as well as for MD/DOs only.



**Figure 2:** Total amount paid for all medical malpractice claims from 1991-2017 for all health care practitioners and MD/DOs only in New Mexico.



**Figure 3:** Figure 2 data when adjusted for inflation.