

THE DISABILITY COALITION  
*Advocating for People with Disabilities of All Types*

**DISABILITY ISSUES IN THE 2026 LEGISLATURE  
FINAL REPORT**

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*Past issues of the Legislative Reports can be found at*  
<https://www.ilrcnm.org/disability-coalition-legislative-reports>

**No last-minute suspense this year.** Wednesday was the deadline for Governor Lujan Grisham to sign or veto bills passed toward the end of the 2026 legislative session, but by Monday all of the bills we followed in our weekly reports that passed this year (except HB 2, the state budget) had already been signed into law by the governor. In the end, of all the bills passed in this year's legislative session, only two bills were outright vetoed by the governor, and only one other bill was "pocket-vetoed" when she chose not to sign it before the deadline passed. The low number of vetoes is rather typical in a short session, since most bills in such sessions can't be considered unless the governor authorizes them.

**Budget bill trimmed.** HB 2, the state budget bill, was signed into law (as expected) but, as usual, there were plenty of "line-item vetoes". Some appropriations were vetoed in full, but most of the vetoes eliminated language that provided specific limitations or directions on the use of funds provided by the Legislature, which the governor characterized as intruding on the authority of the executive branch of the government. The legality of many of those vetoes, which delete certain words or phrases in a way that clearly changes what the Legislature intended, is questionable under rulings of the New Mexico Supreme Court, but they are unlikely to be challenged.

Little if any of the funding for disability services provided through special appropriations or the Government Results and Opportunity (GRO) program was eliminated by line-item vetoes.

**Looking ahead.** It's an election year, and this time around all House seats will be up for grabs. Only five current representatives have chosen not to run for re-election, so it's unlikely that we'll see as many new members next year as we've seen in the past few election cycles, but surprises can still happen. Senators are not up for election this year, but one Senate seat will be on the ballot. Sen. Rex Wilson was appointed last year to fill a vacancy in District 33, so an election must now be held to fill the position for the remaining two years of the original term. And we'll have a new governor when next year's regular legislative session convenes because Governor Lujan Grisham is term-limited and her term ends this December 31.



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## Disability-Related Bills Signed Into Law by the Governor

**HB 2** General Appropriation Act. Rep. Nathan Small. This is the annual funding bill for the on-going operations of all state agencies, which also includes about \$1.8 billion in special (one-time) appropriations and \$170 million in funding through the Government Results and Opportunity program fund. Information on the appropriations to state agencies serving people with disabilities was detailed in the Post-Session Report and those appropriations were not materially affected by line-item vetoes in this bill. But one of the governor's line-item vetoes did eliminate language that would have allowed the Health Care Authority to use some leftover funding to work on an application for a new waiver program that would serve persons with mental illness, substance use disorder or brain injury.

**HB 4** Health Care Affordability Fund. Rep. Reena Szczepanski. Phases in an increase in the percentage of revenues from the health insurance premium surtax that goes into the HCAF from the current 55% (with the rest going to the state general fund) to 95% beginning September 1, 2028, when the remaining 5% will go into the Behavioral Health Program Fund. The Affordability Fund helps New Mexico residents pay for health insurance premiums and out-of-pocket costs, as well as reducing premiums for small businesses to provide insurance for their employees.

**HB 38** Wheelchair insurance coverage. Rep. Kathleen Cates. Requires health insurance plans that are subject to state oversight and regulation to cover wheelchairs designed for participation in athletic activities such as racing or basketball.

**HB 50** Social work interstate compact. Rep. Pamela Herndon.

**SB 1** Medical (physician) interstate compact. Sen. Linda Trujillo.

**SB 3** Amending criteria for involuntary mental health commitments. Sen. Moe Maestas. Amends the current definitions of "harm to self" and "harm to others" that serve as criteria for involuntary commitment to mental health services. The result of these changes is that if the basis for involuntary commitment is the person's failure to satisfy the need for nourishment, shelter, medical care or safety, that failure must be demonstrated by recent behavior, must be shown to be likely to result in physical "debilitation" in the near future and must be caused by a lack of capacity to make decisions due to the person's mental disorder.

**SB 20** No prior authorization for behavioral health medications. Sen. Martin Hickey. Amends current law to add medication prescribed for serious mental illness to the list of drugs for which prior authorization could not be required in most circumstances.

**SB 64** Office of Special Education. Sen. Mimi Stewart. Puts the Office of Special Education into statute as a division in the PED organizational structure and spells out the duties and responsibilities of both the division and the department with regard to students with disabilities.

## Bills That Failed to Pass

**HB 10** Physician assistant compact. Rep. Liz Thomson.

**HB 11** Audiology and SLP compact. Rep. Liz Thomson.

**HB 12** Physical therapy compact. Rep. Liz Thomson.

**HB 13** Occupational therapy compact. Rep. Liz Thomson.

**HB 14** Dentist & dental assistant compact. Rep. Liz Thomson.

**HB 24** Professional Recruitment and Retention Act. Rep. Kathleen Cates.  
**HB 31** EMS compact. Rep. Marian Matthews.  
**HB 32** Counseling compact. Rep. Marian Matthews.  
**HB 33** Psychologist compact. Rep. Marian Matthews.  
**HB 36** Office of Accessibility. Rep. Kathleen Cates.  
**HB 44** Dental and dental assistant compact. Rep. Gail Armstrong.  
**HB 45** Physician assistant compact. Rep. Gail Armstrong.

**HB 56** Veterans' access to behavioral health services. Rep. Alan Martinez.  
**HB 68** Healthcare recruitment. Rep. Marianna Anaya.  
**HB 83** Personal care payment requirements. Rep. Rebecca Dow.  
**HB 85** Medical provider recruitment trust fund. Rep. Joseph Sanchez  
**HB 87** Funding for Soteria program. Rep. Joanne Ferrary.  
**HB 90** Health care preceptor income tax credit. Rep. Anita Gonzales.  
**HB 120** Clarifying restrictions on seclusion and restraint. Rep. Yanira Gurrola.  
**HB 139** Housing Trust Fund. Rep. Janelle Anyanonu.  
**HB 140** Affordable Housing Oversight. Rep. Janelle Anyanonu.  
**HB 142** Healthcare tax credits. Rep. Sarah Silva.  
**HB 143** Health care reform. Rep. Jenifer Jones.  
**HB 159** K-12 access to mental health support. Rep. Tara Lujan.  
**HB 177** Temporary care of service animals. Rep. Alan Martinez.  
**HB 198** BH training for first responders. Rep. Alan Martinez. .  
**HB 295** Accessibility Act. Rep. Kathleen Cates.  
**HB 302** Exemptions from prior authorizations. Rep. Doreen Gallegos.  
**HB 334** Competency in juvenile delinquency cases. Rep. Andrea Reeb.

**SB 8** BH Trust Fund. Sen. Antoinette Sedillo-Lopez.  
**SB 9** Medicaid Trust Fund. Sen. Liz Stefanics.  
**SB 12** Physician tax credit. Sen. Katy Duhigg.  
**SB 33** Right to Try. Sen. Jeff Steinborn.  
**SB 105** School absences for medical reasons. Sen. Harold Pope, Jr.  
**SB 140** Personal care payment requirements. Sen. Michael Padilla.  
**SB 166** Income to various trust funds. Sen. Mimi Stewart.  
**SB 184** Move Children's BH Division. Sen. Linda Lopez.  
**SB 191** Seizure safe schools. Sen. Harold Pope, Jr.  
**SB 232** Evaluating competency of a child. Sen. Crystal Brantley.  
**SB 220** Personal care payment requirements. Sen. Shannon Pinto.