NM PCF

PATIENT'S COMPENSATION FUND

NOTICE

December 4, 2020

TO: INSURERS PROVIDING COVERAGE UNDER THE NEW MEXICO MEDICAL MALPRACTICE ACT'S PATIENT'S COMPENSATION FUND

RE: PUBLIC HEALTH EMERGENCY / COVID-19 PANDEMIC

Due to the continuing public health emergency resulting from the COVID-19 pandemic, New Mexico Superintendent of Insurance Russell Toal, in his capacity as Custodian of the Patient's Compensation Fund ("PCF"), provides this notice to insurance carriers providing medical malpractice liability insurance policies to qualified health care providers in New Mexico. Until further notice, and in accordance with Section 41-5-26 NMSA 1978, no such policy shall exclude, limit or modify claims against any qualified health care provider arising from the diagnosis, misdiagnosis, failure to diagnose, treatment, or failure to treat COVID-19. Additionally, until further notice, no such insurer shall deny malpractice coverage for a qualified health care provider who performs medical services in a different specialty rating as a result of COVID-19 exigencies or health care provider shortages.

For questions or concerns related to the NM Patient's Compensation Fund, please contact Sandra R. Romero, PCF Director, at sandrar.romero@state.nm.us.