

**STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT**

STATE ETHICS COMMISSION,

Plaintiff,

v.

NEW MEXICO SAFETY OVER PROFIT,

Defendant.

D-202-CV-2025-05277

No. _____

COMPLAINT

1. The Lobbyist Regulation Act (“LRA”), NMSA 1978, §§ 2-11-1 to 2-11-10 (1977, as amended through 2023), “require[s] reporting and disclosure, thereby bringing lobbying activities—including the identity of the lobbyists; the interests they are employed to represent; the amounts of money spent to influence legislation; and the source of that money—into public view[.]” *N.M. Families Forward v. N.M. State Ethics Comm’n*, __-NMCA-__, ¶ 52, __ P.3d __ (A-1-CA-40852, Apr. 1, 2025).

2. Among its provisions, the LRA “requires organizations that engage in influencing legislation through a lobbying advertising campaign—rather than through direct contact with legislators—to register with the Secretary [of State] and to disclose their expenditures and the contributors to their lobbying advertising campaigns, just like the individual lobbyists and their employers engaged in direct lobbying.” *Id.* ¶ 56; *see also* NMSA 1978, § 2-11-6(I) (2019).

3. Defendant New Mexico Safety Over Profit (“NMSOP”) is a domestic nonprofit corporation that in 2024 spent at least \$56,000 on an advertising campaign for the purpose of lobbying against medical malpractice reform in New Mexico.

4. Despite the Commission's request for compliance with the disclosure requirements imposed by Section 2-11-6(I) of the LRA, NMSOP refuses to disclose information related to its expenditures and contributions for its advertising campaign for the purpose of lobbying against medical malpractice reform, despite its view "that increased accountability and transparency results in increased health and safety for our families." www.nmsop.org/about.

5. Indeed, the NMSOP incorrectly maintains that, because it is a 501(c)(4) organization, it is not required to disclose any information related to its expenditures and contributions for its advertising campaign for the purpose of lobbying against medical malpractice reform. See Ed Williams, *The Dark Money Group Fighting Medical Malpractice Reform*, Searchlight New Mexico (Feb. 25, 2025), <https://searchlightnm.org/dark-money-fighting-malpractice-reform-new-mexico-2025-legislature/> ("We are a 501(c)(4) organization, a nonprofit that does not have to disclose our donors We certainly will not be disclosing our donors, nor do we have to." [Jon Lipshutz, NMSOP executive director]).

6. NMSOP's federal tax filing status with the Internal Revenue Service, however, has no bearing on NMSOP's disclosure obligations under New Mexico law.

7. Under the LRA, New Mexicans have a right to know who is contributing money to fund advertising campaigns for the purpose of lobbying, including who is contributing money to NMSOP to fund its advertising campaign for the purpose of lobbying against medical malpractice reform.

8. Plaintiff State Ethics Commission therefore brings this civil action to compel NMSOP's compliance with the LRA.

PARTIES

9. Plaintiff State Ethics Commission is an independent state agency established by Article V, Section 17(A) of the State Constitution with constitutional and statutory authority to

enforce New Mexico’s ethics laws, including the LRA. On June 6, 2025, the Commission authorized Commission staff to bring this lawsuit.

10. Defendant NMSOP is a New Mexico domestic nonprofit corporation.

11. NMSOP’s principal place of business and address of its registered agent is 1228 Central Ave. SW, Albuquerque, NM 87102.

12. NMSOP’s board of directors includes Ezra Spitzer, Joan Baker, Feliz Rael, Stephanie Ly, Jess Clark, and Daymon Ely. *See* Ex. A, Secretary of State Business Search Info for NMSOP, enterprise.sos.nm.gov/search/business (retrieved June 9, 2025).

13. Jon Lipshutz is NMSOP’s executive director. *See* Ex. B, NMSOP Lobbyist Employer Information Form (Jan. 17, 2025).

14. Before October 28, 2024, NMSOP operated as “Fairness for New Mexico Patients.” *See* Ex. C, NMSOP Amendment (Name Change) (Oct. 28, 2024), Secretary of State Business Search Info for NMSOP, enterprise.sos.nm.gov/search/business (retrieved June 9, 2025).

15. NMSOP’s officers include or have included Jess Clark (President), Stephanie Ly (Treasurer), Daymon Ely (Secretary), Kelly Smyer (President), Matthew Nickerson (Treasurer), and Christopher P. Sanchez (Secretary). *See* Ex. A, Secretary of State Business Search Info for NMSOP, enterprise.sos.nm.gov/search/business (retrieved June 9, 2025); Ex. D, Fairness for New Mexico Patients Form 990, at 7, Internal Revenue Service, U.S. Dep’t of the Treasury (2023).

JURISDICTION AND VENUE

16. The Court has jurisdiction for this action pursuant to N.M. Const., Art. VI, § 13.

17. Venue is proper.

FACTUAL ALLEGATIONS

In 2024, NMSOP conducted an advertising campaign for the purpose of lobbying against legislation to reform New Mexico’s medical malpractice laws.

18. NMSOP is a domestic nonprofit and 501(c)(4) organization whose mission is “medical malpractice advocating.” Ex. D, Fairness for New Mexico Patients Form 990, at 2, Internal Revenue Service, U.S. Dep’t of the Treasury (2023). NMSOP “advocate[s] for policies and legislation regarding medical malpractice” by “rais[ing] funds and engag[ing] a media campaign strategist in advance of NM Legislative Sessions.” *Id.* To that end, NMSOP “conduct[s] digital advertising in targeted districts throughout NM, engage[s] in email campaigns to the general public, and fund[s] patch-through phone calls to be placed to legislators.” *Id.*

19. In anticipation of the First Session of the 57th Legislature (2025), like many New Mexicans, NMSOP focused its attention on the causes of New Mexico’s healthcare crisis and shortage of healthcare providers.

20. Whereas some New Mexicans urged amendments to the Medical Malpractice Act, NMSA 1978, §§ 41-5-1 to -29 (1976, as amended through 2023), to address the shortage of healthcare providers, NMSOP has a different understanding of both the causes of and solutions for New Mexico’s healthcare crisis.

21. In NMSOP’s view, “medical malpractice reform” is “corporate medicine’s agenda” and exhorted legislators to “do everything in their power to protect the most vulnerable of patients and resist further ‘tort reform’ laws in New Mexico.” Ex. E, NMSOP, *The Healthcare Crisis: Solutions driven by New Mexico patients* (excerpts), at 15 (Nov. 2024).

22. Indeed, to address New Mexico’s shortage of healthcare professionals and patient safety, NMSOP advocates for “holding corporate wrongdoers responsible for harm, instead of

shielding them from accountability”; “[u]pholding the Constitutional right to a trial by jury”; “[d]efeating attempts to ‘cap’ damages for patients”; “[d]efeating ‘venue’ restrictions” that would impose limits on “where a patient can seek justice”; and “[d]efeating attorney fee caps.” *Id.* at 2, 4, 24; *see also id.* at 15–16.

23. In support of their interests, NMSOP operated an advertising campaign in 2024 with at least two purposes.

24. First, in its 2024 advertising campaign, NMSOP suggested that the fundamental cause of New Mexico’s healthcare crisis is not current medical malpractice law but rather the concentration of private-equity ownership of hospitals in New Mexico.

25. Second, in its 2024 advertising campaign, NMSOP sought to defeat any legislation in the 2025 legislative session that would hamper medical malpractice claims in New Mexico courts, including legislative attempts (i) to enact a cap on attorney’s fees in medical malpractice lawsuits; (ii) to require that a medical malpractice claim be filed not according to the location of the patient’s personal representative but rather in the county where the malpractice allegedly occurred, where the medical provider is located, or where the patient resided at the time of the malpractice; and (iii) to cap punitive damages. *Id.* at 2, 4, 24; *see also id.* at 15–16.

26. NMSOP’s 2024 advertising campaign included paid advertisements in both print and digital media.

27. Upon information and belief, NMSOP, while operating as Fairness for New Mexico Patients, paid J&Z Strategies to produce videos (i) associating healthcare costs in New Mexico with the claim that New Mexico has the highest percentage of private-equity owned hospitals in the United States and (ii) lobbying against medical malpractice reform.

28. In conducting its advertising campaign in 2024, NMSOP, while operating as Fairness for New Mexico Patients, paid Meta to place digital advertisements associating New Mexico’s healthcare crisis with private-equity ownership and lobbying against medical malpractice reform:

a. NMSOP, while operating as Fairness for New Mexico Patients, paid Meta between \$20,000 and \$25,000 to run a digital advertisement from July 16, 2024 to September 1, 2024 on Facebook and Instagram associating New Mexico’s healthcare costs with private-equity ownership of New Mexico hospitals. Ex. F, Meta Ad Library ID 1212437583264679 (Jul. 16, 2024 – Sept. 1, 2024).

b. NMSOP, while operating as Fairness for New Mexico Patients, paid Meta between \$1,400 and \$1,598 to run two digital advertisements from September 30, 2024 to October 5, 2024 on Facebook and Instagram containing the message “Say NO to medical malpractice changes.” Ex. G, Meta Ad Library ID 1081238066938036 (Sept. 30, 2024 – Oct. 5, 2024); Ex. H, Meta Ad Library ID 1724312495066743 (Sept. 30, 2024 – Oct. 5, 2024).

c. NMSOP, while operating as Fairness for New Mexico Patients, again paid Meta between \$15,000 and \$17,000 to run digital advertisements from October 4, 2024 to November 17, 2024 on Facebook and Instagram exhorting users of Meta platforms in New Mexico to “[s]tand with patients and stand UP to greedy insurance companies! Say NO to malpractice law changes.” Ex. I, Meta Ad Library ID 1439588663404704 (Oct. 4, 2024 – Nov. 17, 2024); Ex. J, Meta Ad Library ID 528389576452541 (Oct. 4, 2024 – Nov. 17, 2024).

d. NMSOP paid Meta between \$10,000 and \$15,000 to run a digital advertisement from November 18, 2024 to December 21, 2024 on Facebook and Instagram exhorting users of Meta platforms in New Mexico to “[s]tand with patients and stand UP to

greedy insurance companies! Say NO to malpractice law changes.” Ex. K, Meta Ad Library ID 444162348722540 (Nov. 18, 2024 – Dec. 21, 2024).

e. NMSOP paid Meta between \$7,000 and \$8,000 to run a digital advertisement from November 18, 2024 to January 1, 2025 on Facebook and Instagram exhorting users of Meta platforms in New Mexico to “[s]tand with patients and stand UP to greedy insurance companies! Say NO to malpractice law changes.” Ex. L, Meta Ad Library ID 530778593256731 (Nov. 18, 2024 – Jan 1, 2025).

f. NMSOP paid Meta between \$2,500 and \$3,000 to run a digital advertisement from December 20, 2024 to January 1, 2025 on Facebook and Instagram exhorting users of Meta platforms in New Mexico to “[s]tand with patients and stand UP to greedy insurance companies! Say NO to malpractice law changes.” Ex. M, Meta Ad Library ID 899008579069864 (Dec. 20, 2024 – Jan. 1, 2025).

g. On information and belief, NMSOP’s payments to Meta, as alleged in Paragraphs 28(a) through 28(f), were made either directly or indirectly, through J&Z Strategies.

29. Furthermore, in October 2024, NMSOP purchased at least four full-page, color advertisements in the October 11, 2024 and October 13, 2024 editions of the *Albuquerque Journal* and the *Santa Fe New Mexican*. See Ex. N, Paid Advertisement, *Albuquerque Journal* (Oct. 11, 2024); Ex. O, Paid Advertisement, *Albuquerque Journal* (Oct. 13, 2024); Ex. P, Paid Advertisement, *Santa Fe New Mexican* (Oct. 11, 2024); Ex. Q, Paid Advertisement, *Santa Fe New Mexican* (Oct. 13, 2024).

30. These four print advertisements assert that “[m]edical corporations & insurance companies blame patients harmed by medical practice for the healthcare crisis” and proposes “real solutions to the healthcare crisis[.]” *Id.*

31. In conjunction with its paid advertisement campaign, NMSOP also operates a website, www.nmsop.org, which included a call to action for the 2025 legislative session and “take action” pages that allowed viewers of NMSOP advertisements to “tell [their] legislators about safety over profit[.]” See www.nmsop.org/takeaction (last accessed June 6, 2025).

32. All of NMSOP’s paid advertisements for the purpose of lobbying against medical malpractice reform point to NMSOP’s website.

NMSOP failed to report its expenditures and contributions for its advertising campaign

33. Considering the extent of NMSOP’s advertising campaign for the purpose of lobbying against medical malpractice reform, Section 2-11-6(I) imposed on NMSOP a duty to register its advertising campaign with the Secretary of State in 2024 and, within fifteen days after the 2025 legislative session, “report the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign for the purpose of lobbying, including the names, addresses, employers and occupations of the contributors.” § 2-11-6(I).

34. NMSOP neither registered its advertising campaign “within forty-eight hours after expending two thousand five hundred dollars (\$2,500)” on its 2024 advertising campaign, nor reported its contributions and expenditures, as required by Section 2-11-6(I).

35. The Secretary of State New Mexico Campaign Finance System displays no filings by NMSOP in 2024 and no disclosure reports by NMSOP in 2025.

36. NMSOP, however, knows how to file reports under the LRA with the Secretary of State.

37. For example, on January 12, 2021, Fairness for New Mexico Patients registered a lobbying advertising campaign and, then, on April 20, 2021, reported \$73,288.74 in expenditures and \$100,000 in contributions related to the advertising campaign. Both of these reports were

submitted to the Secretary of State pursuant to Section 2-11-6(I). Ex. R, Fairness for New Mexico Patients, Lobbying Advertising Campaign Registration Form, New Registration (2021); Ex. S, Fairness for New Mexico Patients, 2021 Report of Advertising Campaign Reporting Form (Apr. 20, 2021) (disclosing that, in 2021, Nicolas Rowley, an attorney with a Decorah, Iowa address, contributed \$100,000 to Fairness for New Mexico Patients' advertising campaign).

38. Further, at some point in 2025, Fairness for New Mexico Patients amended its 2021 lobbying advertising campaign registration form to reflect 2025 as the registration year. See Ex. T, Fairness for New Mexico Patients, Lobbying Advertising Campaign Registration Form, Registration Amendment (2025). Fairness for New Mexico Patients, however, did not register an advertising campaign in 2024 or report any contributions or expenditures related to NMSOP's 2024 advertising campaign for the purpose of lobbying against medical malpractice reform.

39. NMSOP has not registered its 2024 lobbying advertising campaign for the purpose of lobbying against medical malpractice reform nor reported its expenditures and contributions for that campaign.

NMSOP failed to report its expenditures and contributions for its advertising campaign in its 2025 reports filed as a lobbyist employer.

40. Accordingly, on May 13, 2025, the Commission's Chief Compliance Counsel wrote to Jon Lipshutz, NMSOP's executive director, requesting NMSOP's compliance with Section 2-11-6(I) by registering as a lobbyist advertising campaign and disclosing the expenditures and contributions for its advertising campaign for the purpose of lobbying against medical malpractice reform. See Ex. U, Ltr. from S. Berger to C. Chato, at 3–4 (May 23, 2025).

41. On May 23, 2025, NMSOP responded, asserting that the Commission’s view that Section 2-11-6(I) required NMSOP to register and report its 2024 advertising campaign “is incorrect” and alleging that NMSOP reported its expenditures as a lobbyist employer. *Id.* at 1–2.

42. In addition to conducting a lobbyist advertising campaign, NMSOP is also a lobbyist employer.

43. On January 17, 2025, NMSOP registered with the Secretary of State as a lobbyist employer, indicating that Stephanie Maez is NMSOP’s lobbyist. Ex. B, NMSOP Lobbyist Employer Information Form, at 2 (Jan. 17, 2025).

44. On January 29, 2025, Jon Lipshutz, ostensibly on behalf of NMSOP, filed a “Lobbyist 48-Hour Expenditure Report (Lobbyist Employers)” with the Secretary of State, disclosing an \$80,000 expenditure to J&Z Strategies for a “[c]all to action on corporation transparency.” Ex. V, Jon Lipshutz, 2025 Lobbyist Reporting Form (Jan. 29, 2025). *See generally* NMSA 1978, § 2-11-6(E)(2) (requiring a report of expenditures by a lobbyist employer of \$500 or more to be filed with the Secretary of State “within forty-eight hours for each separate expenditure made or incurred during a legislative session”).

45. On information and belief, NMSOP’s \$80,000 expenditure to J&Z Strategies during the 2025 legislative session was not in connection with NMSOP’s 2024 advertising campaign against medical malpractice reform, but rather related to NMSOP advertisements in support of pending legislation in the 2025 legislative session, including House Bill 73, the Survivor Justice Act, and House Bill 552, requiring disclosure by medical corporations.

46. Indeed, during the 2025 legislative session, NMSOP made expenditures in support of House Bill 73 and House Bill 552.

a. NMSOP paid Meta between \$15,000 and \$20,000 to run a digital advertisement from January 29, 2025 to March 22, 2025 on Facebook and Instagram exhorting users of Meta Platforms to contact their lawmaker and demand justice for victims of sexual assault. Ex. W, Meta Ad Library 583808527818816 (Jan. 29, 2025 – Mar. 22, 2025).

b. NMSOP paid Meta between \$20,000 and \$25,000 to run a digital advertisement from February 4, 2025 to March 23, 2025 on Facebook and Instagram exhorting users of Meta Platforms to contact their lawmaker and demand justice for victims of sexual assault. Ex. X, Meta Ad Library 1043517787535973 (Feb. 4, 2025 – Mar. 23, 2025).

c. NMSOP paid Meta between \$30,000 and \$35,000 to place digital advertisements on Facebook and Instagram from March 9, 2025 to March 16, 2025 exhorting users of Meta platforms in New Mexico to urge “legislator[s] to disclose medical corporation profits!” Ex. Y, Meta Ad Library 1325319298789079 (Mar. 9, 2025 – Mar. 16, 2025).

d. On information and belief, NMSOP’s payments to Meta, as alleged in Paragraphs 46(a) through 46(c), were made either directly or indirectly, through J&Z Strategies.

47. Neither NMSOP’s January 17, 2025 registration as a lobbyist employer, nor NMSOP’s January 29, 2025 48-hour expenditure report discloses any expenditures or contributions related to NMSOP’s 2024 advertising campaign for the purpose of lobbying against medical malpractice reform.

48. NMSOP did not, as a lobbyist employer, “otherwise report[]” contributions related to NMSOP’s 2024 advertising campaign for the purpose of lobbying against medical malpractice reform. *See* § 2-11-6(I).

49. NMSOP did not, as a lobbyist employer, “otherwise report[]” expenditures related to NMSOP’s advertising campaign for the purpose of lobbying against medical malpractice reform. *See* § 2-11-6(I).

Count I
Violation of the Lobbyist Regulation Act, NMSA 1978, § 2-11-6(I)

50. Plaintiff incorporates by reference the foregoing paragraphs of this complaint as though fully set forth herein.

51. Defendant NMSOP is an organization of two or more persons.

52. Within one calendar year, NMSOP “expended funds in excess of two thousand five hundred dollars (\$2,500) not otherwise reported under the Lobbyist Regulation Act to conduct an advertising campaign for the purpose of lobbying[.]” § 2-11-6(I).

53. NMSOP failed to register with the Secretary of State within forty-eight hours after expending two thousand five hundred dollars (\$2,500).

54. NMSOP failed to “report the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign for the purpose of lobbying, including the names, addresses, employers and occupations of the contributors” within fifteen days after the 2025 legislative session. § 2-11-6(I).

55. Plaintiff State Ethics Commission seeks relief in the form of: (i) an injunction requiring NMSOP to register its 2024 advertising campaign for the purpose of lobbying with the Secretary of State; (ii) an injunction requiring NMSOP to “report the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign for the purpose of lobbying, including the names, addresses, employers and occupations of the contributors”; (iii) civil penalties under NMSA 1978, § 2-11-8.2(D) (2021); (iv) civil penalties in

the amount of five thousand dollars (\$5,000) under NMSA 1978, § 2-11-9 (1993); (v) and any other relief the Court deems proper.

PRAYER FOR RELIEF

WHEREFORE, the State Ethics Commission requests the Court to enter relief as follows:

- a. Injunctive relief ordering NMSOP to comply with the registration and disclosure requirements of Section 2-11-6(I), including disclosure of “the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign for the purpose of lobbying, including the names, addresses, employers and occupations of the contributors,” § 2-11-6(I);
- b. Civil penalties allowed by Sections 2-11-8.2(D) and 2-11-9;
- c. Assessment of costs under NMSA 1978, § 34-6-40.1; and
- d. For such other relief as the Court deems just and proper.

Respectfully submitted: June 10, 2025,

STATE ETHICS COMMISSION

By: /s/ Jeremy Farris

Jeremy Farris

Connor G. Woods

800 Bradbury Dr. SE, Suite 215

Albuquerque, NM 87106

(505) 827-7800

jeremy.farris@sec.nm.gov

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EXHIBIT

A

Business Search Info:

fairness patients

Advanced Search

Search Filter

- ☒ Contains
☐ Starts With
☐ Name Availability

Entity Type

[Select an option]

Status

[Select an option]

Registration Date

Start

MM/DD/YYYY

End

MM/DD/YYYY

Search

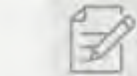
Clear Filters

Advanced ^

Results: 1

Name	Business ID	Entity Type	Entity Sub-Type	Formed In	Status
New Mexico Safety Over profit	6275516	Domestic Nonprofit Corporation	Domestic Nonprofit	New Mexico	Active

New Mexico Safety Over profit



File Amendment



Request Certificate

Business Name	New Mexico Safety Over profit
Status	Active
Initial Filing Date	10/15/2020
Entity Type	Domestic Nonprofit Corporation
Entity Sub-Type	Domestic Nonprofit
Formed In	New Mexico
Record #	6275516
AR Due Date	05/15/2025
Agent	Jon Lipshutz 1228 Central Avenue SW, 1228 Central Avenue SW, Albuquerque, NM 87102
Directors	Ezra Spitzer: Director Joan Baker: Director Feliz Rael: Director Stephanie Ly: Director Jess Clark: Director Daymon Ely: Director
Officers	Stephanie Ly: Treasurer Jess Clark: President Daymon Ely: Secretary
Organizers and Incorporators	Jon Lipshutz: Incorporator
Other Names	Fairness for New Mexico Patients
Alternate Business Names	





OFFICE OF THE SECRETARY OF STATE

Bureau of Elections, Ethics Administration
325 Don Gaspar, Suite 300, Santa Fe, New Mexico 87501
Phone: (505) 827-3600 Toll-Free: (800) 477-3632
Fax: (505) 827-8403

Lobbyist Employer Information Form

Complete this form in order to file any necessary employer reports in the New Mexico Campaign Finance System (CFIS).

Expenditures and Contributions: If you make or incur expenditures or political contributions during this calendar year, which are not otherwise reported by a lobbyist, you will be responsible for electronically filing reports according to the regular lobbyist reporting schedule.

☒ New Registration

☐ Registration Amendment

New Mexico Safety Over Profit

Employer Name		
1228 Central Ave. SW	Albuquerque	NM 87102
Permanent Business Address	City	State & Zip
(505) 221-6816	jblipshutz@gmail.com	
Telephone #	Email address	

Business Address while Lobbying	City	State & Zip
Telephone #	Email address	

I hereby certify under the penalty of law that all the information provided is true, complete and correct to the best of my knowledge.

Jon Lipshutz

Executive Director **01/17/2025**

Signature of Employer, Agent, or Authorized Representative

Title

Date



OFFICE OF THE SECRETARY OF STATE

Bureau of Elections, Ethics Administration
325 Don Gaspar, Suite 300, Santa Fe, New Mexico 87501
Phone: (505) 827-3600 Toll-Free: (800) 477-3632
Fax: (505) 827-8403

Lobbyist Authorization Form

This form must be completed as provided and signed by the employers, agent or authorized representative. A separate completed Authorization Form must be submitted for each employer.

Stephanie Maez is hereby authorized to lobby on behalf of:

Full Name of Lobbyist

New Mexico Safety Over Profit

Name of Employer (Individual, Group, Organization, Business or other Entity)

7301 Freedom Ct. NE, Albuquerque, NM 87109

(505) 221-6816

Permanent Business Address

Telephone #

1. The sources of funds to be used for lobbying include (e.g. membership dues, corporate funds, or if none, write "None").

Contributions from donors

2. The lobbyist will ☒ will not ☐ receive compensation or a salary for the purpose of lobbying (if the lobbyist will only receive reimbursement for actual expenses you may check "will not").

3. The lobbyist is authorized to lobby in reference to the following:

Any issues affecting workers, consumers, corporations and businesses

4. The person, other than the lobbyist or the employer, who will have custody of the account's bills, receipts, books, papers and documents required to be kept, under the provisions of the Lobbyist Regulation Act:

Custodian's Name & Street Address

Telephone #

Physical location of records

Street Address

City

State & Zip

I hereby certify under the penalty of law that all the information provided is true, complete and correct to the best of my knowledge.

Jon Lipshutz

Executive Director

01/17/2025

Signature of Employer, Agent or Authorized Representative

Title

Date

New Mexico Safety Over Profit

1228 Central Ave. SW, Albuquerque, NM 87102

(505) 221-6816

Printed Name

Business Address

Telephone #

Total filings: 9

Expand All

Amendment - 10/28/2024				<div>^</div>
Filing Type	Field Name	Changed From	Changed To	
Amendment	Business Name	Fairness for New Mexico Patients	New Mexico Safety Over profit	
Filing #				
2510841				
Date				
10/28/2024				
Supplemental Report - 10/18/2024				v
Annual Report - 01/11/2024				v
Annual Report - 06/27/2023				v
Revocation for Failure to Appoint RA - 06/15/2023				v
Annual Report - 04/01/2022				v
Supplemental Report - 01/14/2021				v
Initial Report - 10/26/2020				v
Business Formation - 10/15/2020				v

Part III

Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

☐

1 Briefly describe the organization’s mission:

Medical malpractice advocating.

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?

☐ Yes ☒ No

If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services?

☐ Yes ☒ No

If "Yes," describe these changes on Schedule O.

4 Describe the organization’s program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:) (Expenses \$ 244,198 including grants of \$) (Revenue \$ 334,000)

To advocate for policies and legislation regarding medical malpractice. Raised funds and engaged a media campaign strategist in advance of NM Legislative Sessions.

4b (Code:) (Expenses \$ 21,214 including grants of \$) (Revenue \$)

Conducted digital advertising in targeted districts throughout NM, engaged in email campaigns to the general public, and funded patch-through phone calls to be placed to legislators.

4c (Code:) (Expenses \$ including grants of \$) (Revenue \$)

4d Other program services (Describe in Schedule O.)

(Expenses \$ including grants of \$) (Revenue \$)

4e Total program service expenses 265,412

Part IV

Checklist of Required Schedules

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? <i>If "Yes," complete Schedule A</i>	1	No
2 Is the organization required to complete <i>Schedule B, Schedule of Contributors</i> ? See instructions. 	2 Yes	
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? <i>If "Yes," complete Schedule C, Part I</i>	3	No
4 Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? <i>If "Yes," complete Schedule C, Part II</i>	4	
5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Rev. Proc. 98-19? <i>If "Yes," complete Schedule C, Part III</i>	5	No
6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? <i>If "Yes," complete Schedule D, Part I</i>	6	No
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? <i>If "Yes," complete Schedule D, Part II</i>	7	No
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? <i>If "Yes," complete Schedule D, Part III</i>	8	No
9 Did the organization report an amount in Part X, line 21 for escrow or custodial account liability; serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? <i>If "Yes," complete Schedule D, Part IV</i>	9	No
10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi endowments? <i>If "Yes," complete Schedule D, Part V</i>	10	No
11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X, as applicable.		
a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? <i>If "Yes," complete Schedule D, Part VI.</i>	11a	No
b Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part VII</i>	11b	No
c Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part VIII</i>	11c	No
d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part IX</i>	11d	No
e Did the organization report an amount for other liabilities in Part X, line 25? <i>If "Yes," complete Schedule D, Part X</i>	11e	No
f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? <i>If "Yes," complete Schedule D, Part X</i>	11f	No
12a Did the organization obtain separate, independent audited financial statements for the tax year? <i>If "Yes," complete Schedule D, Parts XI and XII</i>	12a	No
b Was the organization included in consolidated, independent audited financial statements for the tax year? <i>If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional</i>	12b	No
13 Is the organization a school described in section 170(b)(1)(A)(ii)? <i>If "Yes," complete Schedule E</i>	13	No
14a Did the organization maintain an office, employees, or agents outside of the United States?	14a	No
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? <i>If "Yes," complete Schedule F, Parts I and IV</i>	14b	No
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to or for any foreign organization? <i>If "Yes," complete Schedule F, Parts II and IV</i>	15	No
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assistance to or for foreign individuals? <i>If "Yes," complete Schedule F, Parts III and IV</i>	16	No
17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? <i>If "Yes," complete Schedule G, Part I.</i> See instructions.	17	No
18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? <i>If "Yes," complete Schedule G, Part II</i>	18	No
19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? <i>If "Yes," complete Schedule G, Part III</i>	19	No
20a Did the organization operate one or more hospital facilities? <i>If "Yes," complete Schedule H</i>	20a	No
b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?	20b	
21 Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? <i>If "Yes," complete Schedule I, Parts I and II</i>	21	No

Part IV

Checklist of Required Schedules (continued)

		Yes	No
22	Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 2? <i>If "Yes," complete Schedule I, Parts I and III</i>	22	No
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5, about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If "Yes," complete Schedule J</i>	23	No
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? <i>If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a</i>	24a	No
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24b	
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c	
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	24d	
25a	Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If "Yes," complete Schedule L, Part I</i>	25a	No
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If "Yes," complete Schedule L, Part I</i>	25b	No
26	Did the organization report any amount on Part X, line 5 or 22 for receivables from or payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons?	26	No
27	<i>If "Yes," complete Schedule L, Part I.</i> Did the organization provide a grant or other assistance to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or employee thereof, a grant selection committee member, or to a 35% controlled entity (including an employee thereof) or family member of any of these persons? <i>If "Yes," complete Schedule L, Part III</i>	27	No
28	Was the organization a party to a business transaction with one of the following parties (see the Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions):		
a	A current or former officer, director, trustee, key employee, creator or founder, or substantial contributor? <i>If "Yes," complete Schedule L, Part IV</i>	28a	No
b	A family member of any individual described in line 28a? <i>If "Yes," complete Schedule L, Part IV</i>	28b	No
c	A 35% controlled entity of one or more individuals and/or organizations described in line 28a or 28b? <i>If "Yes," complete Schedule L, Part IV</i>	28c	No
29	Did the organization receive more than \$25,000 in non-cash contributions? <i>If "Yes," complete Schedule M</i>	29	No
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions?	30	No
31	<i>If "Yes," complete Schedule M.</i> Did the organization liquidate, terminate, or dissolve and cease operations? <i>If "Yes," complete Schedule N, Part I</i>	31	No
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If "Yes," complete Schedule N, Part II</i>	32	No
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3?	33	No
34	<i>If "Yes," complete Schedule R, Part I.</i> Was the organization related to any tax-exempt or taxable entity? <i>If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1</i>	34	No
35a	Did the organization have a controlled entity within the meaning of section 512(b)(13)?	35a	No
b	If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If "Yes," complete Schedule R, Part V, line 2</i>	35b	
36	Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2</i>	36	
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If "Yes," complete Schedule R, Part VI</i>	37	No
38	Did the organization complete Schedule O and provide explanations on Schedule O for Part VI, lines 11b and 19? Note. All Form 990 filers are required to complete Schedule O.	38	Yes

Part V

Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V ☐

		Yes	No
1a	Enter the number reported in box 3 of Form 1096. Enter -0- if not applicable	1a	0
b	Enter the number of Forms W-2G included on line 1a. Enter -0- if not applicable	1b	0
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	1c	Yes

Part V			Statements Regarding Other IRS Filings and Tax Compliance (continued)		
2a Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return		2a	0		
b If at least one is reported on line 2a, did the organization file all required federal employment tax returns?		2b	Yes		
3a Did the organization have unrelated business gross income of \$1,000 or more during the year?		3a			No
b If "Yes," has it filed a Form 990-T for this year? If "No" to line 3b, provide an explanation in Schedule O		3b			
4a At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?		4a			No
b If "Yes," enter the name of the foreign country: _____ See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).					
5a Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?		5a			No
b Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		5b			No
c If "Yes," to line 5a or 5b, did the organization file Form 8886-T?		5c			
6a Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?		6a			No
b If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?		6b			
7 Organizations that may receive deductible contributions under section 170(c).					
a Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?		7a			
b If "Yes," did the organization notify the donor of the value of the goods or services provided?		7b			
c Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?		7c			
d If "Yes," indicate the number of Forms 8282 filed during the year		7d			
e Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		7e			
f Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		7f			
g If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?		7g			
h If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?		7h			
8 Sponsoring organizations maintaining donor advised funds. Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?					8
9 Sponsoring organizations maintaining donor advised funds.					
a Did the sponsoring organization make any taxable distributions under section 4966?		9a			
b Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?		9b			
10 Section 501(c)(7) organizations. Enter:					
a Initiation fees and capital contributions included on Part VIII, line 12		10a			
b Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities		10b			
11 Section 501(c)(12) organizations. Enter:					
a Gross income from members or shareholders		11a			
b Gross income from other sources. (Do not net amounts due or paid to other sources against amounts due or received from them.)		11b			
12a Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?					12a
b If "Yes," enter the amount of tax-exempt interest received or accrued during the year.		12b			
13 Section 501(c)(29) qualified nonprofit health insurance issuers.					
a Is the organization licensed to issue qualified health plans in more than one state?		13a			
Note. See the instructions for additional information the organization must report on Schedule O.					
b Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans		13b			
c Enter the amount of reserves on hand		13c			
14a Did the organization receive any payments for indoor tanning services during the tax year?		14a			No
b If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O		14b			
15 Is the organization subject to the section 4960 tax on payment(s) of more than \$1,000,000 in remuneration or excess parachute payment(s) during the year?		15			No
16 Is the organization subject to the section 4968 excise tax on net investment income?		16			No
17 Section 501(c)(21) organizations. Did the trust, or any disqualified or other person engage in any activities that would result in the imposition of an excise tax under section 4951, 4952, or 4953?		17			
If "Yes," complete Form 6069.					

Part VI

Governance, Management, and Disclosure. For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.

Check if Schedule O contains a response or note to any line in this Part VI

Section A. Governing Body and Management

			Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year	1a	3	
	If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O.			
b	Enter the number of voting members included in line 1a, above, who are independent	1b	3	
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?	2		No
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?	3		No
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?	4		No
5	Did the organization become aware during the year of a significant diversion of the organization's assets?	5		No
6	Did the organization have members or stockholders?	6		No
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?	7a		No
b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?	7b		No
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:			
a	The governing body?	8a	Yes	
b	Each committee with authority to act on behalf of the governing body?	8b	Yes	
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O	9		No

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

		Yes	No
10a	Did the organization have local chapters, branches, or affiliates?	10a	No
b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?	10b	
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	11a	Yes
b	Describe on Schedule O the process, if any, used by the organization to review this Form 990.		
12a	Did the organization have a written conflict of interest policy? If "No," go to line 13	12a	No
b	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b	
c	Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe on Schedule O how this was done	12c	
13	Did the organization have a written whistleblower policy?	13	No
14	Did the organization have a written document retention and destruction policy?	14	No
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
a	The organization's CEO, Executive Director, or top management official	15a	Yes
b	Other officers or key employees of the organization	15b	Yes
	If "Yes" to line 15a or 15b, describe the process on Schedule O. See instructions.		
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a	No
b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?	16b	

Section C. Disclosure

17	List the states with which a copy of this Form 990 is required to be filed	NM
18	Section 6104 requires an organization to make its Form 1023 (1024 or 1024-A, if applicable), 990, and 990-T (section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply. <input type="checkbox"/> Own website <input type="checkbox"/> Another's website <input checked="" type="checkbox"/> Upon request <input type="checkbox"/> Other (explain in Schedule O)	
19	Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.	
20	State the name, address, and telephone number of the person who possesses the organization's books and records: Jon Lipshutz 1228 Central Ave SW Albuquerque, NM 871022803 (505) 221-6816	

Part VII

Check if Schedule O contains a response or note to any line in this Part VII

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.

- List all of the organization's **current** key employees, if any. See the instructions for definition of "key employee."

- List the organization's five **current** highest compensated employees (other than an officer, director, trustee or key employee) who received reportable compensation (box 5 of Form W-2, box 6 of Form 1099-MISC, and/or box 1 of Form 1099-NEC) of more than \$100,000 from the organization and any related organizations.

- List all of the organization's **former** officers, key employees, or highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.

- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations.

See the instructions for the order in which to list the persons above.

☒ Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

[illegible]

Part VII

0

0

No

Section B. Independent Contractors

Complete this table for your five highest compensated independent contractors that received more than \$100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.

Compensation

\$100,000 of compensation from the organization

Part VIII

Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

	(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512 - 514
Contributions, Gifts, Grants, and Other	1a	Federated campaigns	1a	334,000
Similar Amounts		Membership dues	1b	
		Fundraising events	1c	
		Related organizations	1d	
		Government grants (contributions)	1e	
		All other contributions, gifts, grants, and similar amounts not included above	1f	
		Noncash contributions included in lines 1a - 1f:\$	1g	
		h Total. Add lines 1a-1f		334,000

Program Service Revenue	2a	Business Code				
	b					
	c					
	d					
	e					
	f All other program service revenue.					
	g Total. Add lines 2a-2f.					

Other Revenue	3	Investment income (including dividends, interest, and other similar amounts)				
	4	Income from investment of tax-exempt bond proceeds				
	5	Royalties				
	6a	Gross rents	(i) Real	(ii) Personal		
		b Less: rental expenses	6b			
	c	Rental income or (loss)	6c			
	d	Net rental income or (loss)				
	7a	Gross amount from sales of assets other than inventory	(i) Securities	(ii) Other		
		b Less: cost or other basis and sales expenses	7b			
	c	Gain or (loss)	7c			
	d	Net gain or (loss)				
	8a	Gross income from fundraising events (not including \$ of contributions reported on line 1c). See Part IV, line 18	8a			
			8b			
	b	Less: direct expenses				
	c	Net income or (loss) from fundraising events				
	9a	Gross income from gaming activities. See Part IV, line 19	9a			
			9b			
	b	Less: direct expenses				
	c	Net income or (loss) from gaming activities				
	10a	Gross sales of inventory, less returns and allowances	10a			
			10b			
	b	Less: cost of goods sold				
	c	Net income or (loss) from sales of inventory				

Other Revenue	Misc Amt	11a	Business Code				
		b					
		c					
		d All other revenue					
		e Total. Add lines 11a-11d					
		12 Total revenue. See instructions		334,000	0	0	0

Part IX

Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX ☐

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21				
2 Grants and other assistance to domestic individuals. See Part IV, line 22				
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16.				
4 Benefits paid to or for members	188,959	188,959		
5 Compensation of current officers, directors, trustees, and key employees				
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages				
8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)				
9 Other employee benefits				
10 Payroll taxes				
11 Fees for services (non-employees):				
a Management	62,220	49,776	12,444	
b Legal	163		163	
c Accounting	539		539	
d Lobbying				
e Professional fundraising services. See Part IV, line 17				
f Investment management fees				
g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O.)				
12 Advertising and promotion				
13 Office expenses	6,828	5,463	1,365	
14 Information technology				
15 Royalties				
16 Occupancy				
17 Travel				
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings				
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization				
23 Insurance				
24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a Advertising and Media	21,214	21,214		
b				
c				
d				
e All other expenses				
25 Total functional expenses. Add lines 1 through 24e	279,923	265,412	14,511	0
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720).				

Part X

Balance Sheet

Check if Schedule O contains a response or note to any line in this Part IX

☐

			(A) Beginning of year		(B) End of year
Assets	1	Cash-non-interest-bearing	218,588	1	272,665
	2	Savings and temporary cash investments		2	
	3	Pledges and grants receivable, net		3	
	4	Accounts receivable, net		4	
	5	Loans and other receivables from any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons		5	
	6	Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), and persons described in section 4958(c)(3)(B)		6	
	7	Notes and loans receivable, net		7	
	8	Inventories for sale or use		8	
	9	Prepaid expenses and deferred charges		9	
	10a	Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D			
	10a				
	b	Less: accumulated depreciation		10c	
	10b				
	11	Investments—publicly traded securities		11	
	12	Investments—other securities. See Part IV, line 11		12	
	13	Investments—program-related. See Part IV, line 11		13	
	14	Intangible assets		14	
	15	Other assets. See Part IV, line 11		15	
	16	Total assets: Add lines 1 through 15 (must equal line 33)	218,588	16	272,665
Liabilities	17	Accounts payable and accrued expenses		17	
	18	Grants payable		18	
	19	Deferred revenue		19	
	20	Tax-exempt bond liabilities		20	
	21	Escrow or custodial account liability. Complete Part IV of Schedule D		21	
	22	Loans and other payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons		22	
	23	Secured mortgages and notes payable to unrelated third parties		23	
	24	Unsecured notes and loans payable to unrelated third parties		24	
	25	Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17 - 24). Complete Part X of Schedule D		25	
	26	Total liabilities. Add lines 17 through 25	0	26	0
Net Assets or Fund Balances	Organizations that follow FASB ASC 958, check here <input checked="" type="checkbox"/> and complete lines 27, 28, 32, and 33.				
	27	Net assets without donor restrictions	218,588	27	272,665
	28	Net assets with donor restrictions		28	
	Organizations that do not follow FASB ASC 958, check here <input type="checkbox"/> and complete lines 29 through 33.				
	29	Capital stock or trust principal, or current funds		29	
	30	Paid-in or capital surplus, or land, building or equipment fund		30	
	31	Retained earnings, endowment, accumulated income, or other funds		31	
	32	Total net assets or fund balances	218,588	32	272,665
	33	Total liabilities and net assets/fund balances	218,588	33	272,665

Part XI

Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

1	Total revenue (must equal Part VIII, column (A), line 12)	1	334,000
2	Total expenses (must equal Part IX, column (A), line 25)	2	279,923
3	Revenue less expenses. Subtract line 2 from line 1	3	54,077
4	Net assets or fund balances at beginning of year (must equal Part X, line 32, column (A))	4	218,588
5	Net unrealized gains (losses) on investments	5	
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	
9	Other changes in net assets or fund balances (explain in Schedule O)	9	0
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 32, column (A))	10	272,665

Part XII

Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

	Yes	No
1 Accounting method used to prepare the Form 990: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual <input type="checkbox"/> Other _____ If the organization changed its method of accounting from a prior year or checked "Other," explain on Schedule O.		
2a Were the organization's financial statements compiled or reviewed by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both: <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis		No
b Were the organization's financial statements audited by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both: <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis		No
c If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.		
3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Uniform Guidance, 2 C.F.R. Part 200, Subpart F?		No
b If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits.		

Additional Data

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Form 990, Special Condition Description:

Special Condition Description

<div>Schedule B</div> <div>(Form 990)</div> <div>Department of the Treasury</div> <div>Internal Revenue Service</div>	<div>Schedule of Contributors</div> <div>▶ Attach to Form 990, 990-EZ, or 990-PF.</div> <div>▶ Go to www.irs.gov/Form990 for the latest information.</div>	OMB No. 1545-0047
		2023
<div>Name of the organization</div> <div>Fairness for New Mexico Patients</div>		<div>Employer identification number</div> <div>85-3493824</div>

Organization type (check one):

Filers of:	Section:
Form 990 or 990-EZ	<div><input type="checkbox"/> 501(c)() (enter number) organization</div> <div><input type="checkbox"/> 4947(a)(1) nonexempt charitable trust not treated as a private foundation</div> <div><input type="checkbox"/> 527 political organization</div>
Form 990-PF	<div><input type="checkbox"/> 501(c)(3) exempt private foundation</div> <div><input type="checkbox"/> 4947(a)(1) nonexempt charitable trust treated as a private foundation</div> <div><input type="checkbox"/> 501(c)(3) taxable private foundation</div>

Check if your organization is covered by the **General Rule** or a **Special Rule**.
Note: Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

General Rule

☐ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, contributions totaling \$5,000 or more (in money or other property) from any one contributor. Complete Parts I and II. See instructions for determining a contributor's total contributions.

Special Rules

- ☐ For an organization described in section 501(c)(3) filing Form 990 or 990-EZ that met the 33¹/₃% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), that checked Schedule A (Form 990 or 990-EZ), Part II, line 13, 16a, or 16b, and that received from any one contributor, during the year, total contributions of the greater of **(1)** \$5,000 or **(2)** 2% of the amount on (i) Form 990, Part VIII, line 1h, or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For an organization described in section 501(c)(7), (8), or (10) filing Form 990 or 990-EZ that received from any one contributor, during the year, total contributions of more than \$1,000 *exclusively* for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For an organization described in section 501(c)(7), (8), or (10) filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions *exclusively* for religious, charitable, etc., purposes, but no such contributions totaled more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Don't complete any of the parts unless the **General Rule** applies to this organization because it received *nonexclusively* religious, charitable, etc., contributions totaling \$5,000 or more during the year ▶ \$ _____

Caution: An organization that isn't covered by the General Rule and/or the Special Rules doesn't file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2, of its Form 990; or check the box on line H of its Form 990-EZ or on its Form 990PF, Part I, line 2, to certify that it doesn't meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

Employer identification number
85-3493824

Contributors

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
RESTRICTED		\$ RESTRICTED	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
		\$	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
		\$	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
		\$	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
		\$	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
		\$	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
		\$	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
		\$	<input type="checkbox"/> Person
			<input type="checkbox"/> Payroll
			<input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)

Name of organization Fairness for New Mexico Patients	Employer identification number 85-3493824
--	--

Part II

Noncash Property (see instructions). Use duplicate copies of Part II if additional space is needed.

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	<div></div> <div></div> <div></div>	<div></div> \$	<div></div>
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	<div></div> <div></div> <div></div>	<div></div> \$	<div></div>
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	<div></div> <div></div> <div></div>	<div></div> \$	<div></div>
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	<div></div> <div></div> <div></div>	<div></div> \$	<div></div>
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	<div></div> <div></div> <div></div>	<div></div> \$	<div></div>
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	<div></div> <div></div> <div></div>	<div></div> \$	<div></div>

Name of organization Fairness for New Mexico Patients	Employer identification number 85-3493824
--	--

Part III Exclusively religious, charitable, etc., contributions to organizations described in section 501(c)(7), (8), or (10) that total more than \$1,000 for the year from any one contributor. Complete columns (a) through (e) and the following line entry. For organizations completing Part III, enter the total of exclusively religious, charitable, etc., contributions of \$1,000 or less for the year. (Enter this information once. See instructions.) ► \$ _____

Use duplicate copies of Part III if additional space is needed.

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	<div></div>	<div></div>	<div></div>
	(e) Transfer of gift		
	Transferee's name, address, and ZIP 4	Relationship of transferor to transferee	
	<div></div>	<div></div>	
	<div></div>	<div></div>	
	<div></div>	<div></div>	
(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	<div></div>	<div></div>	<div></div>
	(e) Transfer of gift		
	Transferee's name, address, and ZIP 4	Relationship of transferor to transferee	
	<div></div>	<div></div>	
	<div></div>	<div></div>	
	<div></div>	<div></div>	
(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	<div></div>	<div></div>	<div></div>
	(e) Transfer of gift		
	Transferee's name, address, and ZIP 4	Relationship of transferor to transferee	
	<div></div>	<div></div>	
	<div></div>	<div></div>	
	<div></div>	<div></div>	
(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	<div></div>	<div></div>	<div></div>
	(e) Transfer of gift		
	Transferee's name, address, and ZIP 4	Relationship of transferor to transferee	
	<div></div>	<div></div>	
	<div></div>	<div></div>	
	<div></div>	<div></div>	

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SCHEDULE O
(Form 990)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

**Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.
Attach to Form 990 or 990-EZ.**

Go to www.irs.gov/Form990 for the latest information.

OMB No. 1545-0047

2023

**Open to Public
Inspection**

Name of the organization
Fairness for New Mexico Patients

Employer identification number

85-3493824

Return Reference	Explanation
Form 990 governing body review Part VI line 11	Form 990 provided to board of directors prior to filing for their review.
CEO executive director top management comp Part VI line 15a	There is no paid staff, CEO, Executive Director, top management, or other.
Other officer or key employee compensation Part VI line 15b	There are no paid staff, officers, or other key employees.
Governing documents etc available to public Part VI line 19	Governing documents are available to the public on written request to the board of directors.

Additional Data

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Software ID:

Software Version:

A report by:
New Mexico Safety Over Profit

Date
November 2024

Web:
nmsop.org

THE HEALTHCARE CRISIS:

Solutions driven by New Mexico patients

NOT by the insurance industry

NOT by profit-driven corporations



Why this report was created:

Over a handful of years, New Mexico has grappled with a provider shortage alongside the rest of the nation. While several “solutions” have been put forth in a recent report provided to New Mexico Legislators, we noticed a concerning trend: some “solutions” attempt to attract healthcare providers at the expense of harming patients.

While there are some solutions in the recent report that are data driven (and that the Legislature has already been implementing), it was funded in part by Anchorum Health, a non-profit associated with Christus Health- a multi-billion dollar corporation that has blocked access to patients seeking abortion care. This financial backing reflects a much larger issue in medicine today: that many influential voices in healthcare policy are profit-driven rather than patient-centered.

What sets the NM Safety Over Profit report apart? This report uses empirical data to focus on solutions that increase the number of providers without sacrificing public safety.

1. Elevate patient-driven perspectives in healthcare, with solutions focused on accessibility, accountability, and quality care.
2. Protect the public by holding corporate wrongdoers responsible for harm, instead of shielding them from accountability.
3. Uphold the Constitutional right to a trial by a jury- (everyday New Mexicans)- instead of giving that power solely to elected officials.

Who is New Mexico Safety Over Profit?

New Mexico Safety Over Profit is a network of individuals and families harmed by big corporations, institutions, and profit-driven systems. We fight for legislation that increases safety for New Mexicans by holding entities accountable when they cut corners and risk safety to save money. We believe that increased accountability and transparency results in improved health and safety for our families.



Facebook:
[New Mexico Safety Over Profit](#)
Instagram:
[NMsafty1st](#)



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Appendix



EXECUTIVE SUMMARY

Research on hospital trends in the U.S. and within our own state of New Mexico show a troubling pattern: as medical corporations chase profits, they often cut corners on patient care and compromise safety for healthcare workers and patients alike. Hospitals are increasingly prioritizing low-risk, profitable patients, leaving those with complex and costly needs underserved and without justice when harmed by medical negligence.

This profit-driven model not only reduces care quality but also places a heavy workload on staff, leading to burnout and unsafe conditions. Moreover, the corporate focus on revenue can drain resources from public health systems, especially in low-income and people of color communities, further widening health disparities and weakening the overall quality of care.

The following solutions address both the corporatization of healthcare and the need for New Mexico to compete nationally for healthcare providers.

HOSPITAL CORPORATION TRANSPARENCY & OVERSIGHT

- Oversight of mergers and acquisitions
- Regulate private-equity-owned hospitals
- Implement the Legislative Finance Committee report recommendations
- Hospital transparency that requires significant disclosures
- Require urban hospitals corporations to comply with the HCA quality measures that nonurban hospitals must meet
- Budget guardrails that stop taxpayer dollars going to subsidize multi-billion-dollar hospital corporations

ATTRACTING & RETAINING PROVIDERS

- Pay providers' student loans and pay for medical students' education
- Keep New Mexico medical students in New Mexico
- Put our taxpayer dollars in the pockets of providers, not corporations
- Pay for homeowner down payments for providers
- Cut the red tape on licensure and credentialing
- Improve provider work environment

PATIENT SAFETY

- Require safe staffing ratios
- Pass Medicaid Forward
- Eliminate insurance preauthorizations and denials
- Fund and incentivize high quality patient care
- Defeat legislation that "caps" patients and limits the responsibility of the wrongdoer
- Defeat legislation that determines where a person can seek access to justice ("venue")
- Defeat legislation that limits an individual's access to the courts by having politicians decide attorney fees

CORPORATE MEDICINE'S AGENDA: “TORT REFORM”

With the HMO Act of 1973 came the rise of “tort reform”, an effort to limit the ability of an individual to bring a lawsuit when they are harmed by a system or institution and lessen responsibility for the wrongdoer. In the case of corporatized medicine, “tort reform” is often referred to as “medical malpractice reform.” It actively creates barriers for patients seeking justice when they are harmed by medical negligence. **These barriers seek to limit (called “caps”) the amount insurance companies compensate patients when they are harmed or killed by medical negligence on damages, limiting a patient’s access to legal representation and restricting which courts patients can find justice within.** People of color communities in states where major “medical malpractice reforms” have gone into effect have been disproportionately harmed by these laws that shift power away from patients and juries and toward politicians. In a state where dramatic health disparities and limits on recovery already exist, legislators must do everything in their power to protect the most vulnerable of patients and resist further “tort reform” laws in New Mexico.





“MEDICAL MALPRACTICE REFORM” IS A DANGER TO PATIENTS

Cuts Costs... Cuts Care³⁰

“Medical malpractice reform” limits liability for corporations when they’ve caused harm to patients. Once assured that their legal exposure is limited, healthcare corporations are more likely to implement cost-cutting measures that risk patient safety, such as reducing staffing levels or skimping on necessary resources. This often results in overworked staff, rushed appointments, and less attention to detail in patient care.

Lessens Corporate Responsibility for Quality Care³¹

Tort reform can diminish the motivation for healthcare corporations to continually improve patient care. If the potential for financial loss due to lawsuits is seen as a mere “slap on the wrist,” there is less pressure to invest in better training, technology, or procedures aimed at reducing errors and improving outcomes.

Limits Patient Justice

Tort reform shifts the balance of power away from patients and toward healthcare institutions, making it harder for patients to seek justice when they are harmed by medical negligence. This can leave patients feeling vulnerable, knowing that their options for recourse are limited, and ultimately lead to a healthcare environment where patient care is not the top priority.

Boosts Insurance Profit³²

By “capping” the amount of damages that can be awarded to patients, insurance companies face lower costs when medical malpractice occurs. This allows insurers to maintain or even increase their profit margins, as they collect premiums but pay less to harmed patients.

Lessens the Power of Juries to Hold Corporations Accountable³³


By imposing limits on the amount of compensation a jury can award, especially for non-economic damages, “medical malpractice reforms” effectively reduce the financial consequences that corporations face for negligent practices.



SOLUTIONS: 2025 Policy Recommendations

PATIENT SAFETY



- **Safe staffing ratios**- limit the number of patients assigned to each healthcare worker to ensure patients receive the quality care they need while preventing provider burnout.
- **Medicaid Forward**- open Medicaid to provide affordable health insurance to every New Mexican.
- **Eliminate insurance preauthorization and denials**- stop the red tape for patients and providers by putting the decision for care where it belongs - in the healthcare provider's hands instead of the insurance company.
- **Fund High-Quality Patient Care**- Incentivize and reward funding to hospitals and clinics that demonstrate safe outcomes for patients.
- **Defeat attempts to “cap” damages for patients**- Limiting or “capping” damages in medical malpractice lawsuits takes decision-making power away from the jury and gives it to politicians.
- **Defeat “venue” restrictions**- Restricting where a patient can seek justice disproportionately hurts rural New Mexico patients, where jurors not only depend on the hospital for future care, but often have loved ones whose livelihood depends on the hospital.
- **Defeat attorney fee caps**- Medical malpractice cases are expensive and take years. If the case is not settled or the plaintiff does not receive a verdict in favor of them, the attorney does not get paid. Limiting attorney fees only serves to place barriers in front of patients seeking justice and the wrongdoer corporation being held responsible.

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 Impressions: >1M 

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Fairness NM


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Out-of-state corporations are making billions off patients in New Mexico, yet they still demand a taxpayer-funded bailout. Instead of using these profits to improve local care, increase local access, and hire more doctors, they prioritize their bottom line over our communities.



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Legislators: Stand with patients. Say NO to medical malpractice changes.



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Fairness NM

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Stand with patients and stand UP to greedy insurance companies! Say NO to malpractice law changes




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 Impressions: **>1M** 

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Medical corporations & insurance companies blame patients harmed by medical malpractice for the healthcare crisis...

...So they can distract us from the billions of dollars in profit that go to their out-of-state corporate headquarters. (1)
Don't be fooled by their distractions. Get the facts.

The Facts:



Doctors aren't "fleeing" New Mexico. Like the rest of the country, NM has a shortage of providers because baby boomer doctors are retiring and baby boomer patients need more care than ever before. (2)



Although we need to keep increasing providers, the number of primary physicians in New Mexico has risen since 2021 (3) and NM is in the median compared to the country for its number of doctors. (4)



New Mexico has the highest percentage of private equity owned hospitals in the country (5), which a Harvard study shows have a 25% higher rate of injuries to patients (6) and which are known for decreasing the number of providers to increase their profit. (7)



Thanks to our legislature, NM has appropriated over \$100 MILLION to lower healthcare providers' insurance premiums. (8) **And yet insurance companies continue to raise premiums - on all of us. (9)**

What are the real solutions to the healthcare crisis?

- Stop the corporate takeover of our hospitals, clinics and ERs.
- Require multi-billion dollar medical corporations to increase provider pay and reduce the patient to provider ratios.
- Eliminate preauthorizations that allow insurance companies to deny critical, provider-recommended care.
- Expand loan forgiveness programs that the legislature has already created, provide housing down-payment assistance and pay for medical education.
- Join patients in holding corporations responsible for harm at www.nmsop.org

Citations:

1. <https://bit.ly/3ZSku3o> 6. <https://bit.ly/48hJM55>

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2. <https://bit.ly/4eAeAs1>
3. <https://bit.ly/3XU5Gyy>
4. <https://bit.ly/4gWeFYp>
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6. <https://bit.ly/48hJMUS>
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Citations:

1. LFC Presentation to the Legislative Health Committee 9.23.24. 2. AAMC.org- Aging patients and doctors drive nation's physician shortage 3. NM Healthcare Workforce Report 2023 4. HERSA.gov 5. privateequityrisk.org 6. hms.harvard.edu/news/what-happens-when-private-equity-takes-over-a-hospital 7. NPR.org/fresh air; CNN, NBC, CBS, CNN. LFC Presentation to the Legislative Health Committee 9.23.24 8. nmlcgis.gov/HB2, 2021, 2022, 2023, 2024 9. NPR Morning Edition, June 15, 2024

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Medical corporations & insurance companies blame patients harmed by medical malpractice for the healthcare crisis...

...So they can distract us from the billions of dollars in profit that go to their out-of-state corporate headquarters. (1)
Don't be fooled by their distractions. Get the facts.

The Facts:

- ✓ Doctors aren't "fleeing" New Mexico. Like the rest of the country, NM has a shortage of providers because baby boomer doctors are retiring and baby boomer patients need more care than ever before. (2)
- ✓ Although we need to keep increasing providers, the number of primary physicians in New Mexico has risen since 2021 (3) and NM is in the median compared to the country for its number of doctors. (4)
- ✓ New Mexico has the highest percentage of private equity owned hospitals in the country (5), which a Harvard study shows have a 26% higher rate of injuries to patients (6) and which are known for decreasing the number of providers to increase their profit. (7)
- ✓ Thanks to our legislature, NM has appropriated over \$100 MILLION to lower healthcare providers' insurance premiums. (8) **And yet insurance companies continue to raise premiums - on all of us. (9)**

What are the real solutions to the healthcare crisis?

- Stop the corporate takeover of our hospitals, clinics and ERs.
- Require multi-billion dollar medical corporations to increase provider pay and reduce the patient to provider ratios.
- Eliminate preauthorizations that allow insurance companies to deny critical, provider-recommended care.
- Expand loan forgiveness programs that the legislature has already created, provide housing down-payment assistance and pay for medical education.
- Join patients in holding corporations responsible for harm at www.nmsop.org

Citations:

1. LFC Presentation to the Legislative Health Committee 9.23.24. 2. AAMC.org- Aging patients and doctors drive nation's physician shortage 3. NM Healthcare Workforce Report 2023 4. HERA.gov 5. privateequityrisk.org 6. hms.harvard.edu/news/what happens when private equity takes over a hospital 7. NPR.org/fresh air; CNN, NBC, CBS, CNN, LFC Presentation to the Legislative Health Committee 9.23.24 8. nmlegis.gov/HB2, 2021, 2022, 2023. 2024 9. NPR Morning Edition, June 15, 2024

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OFFICE OF THE SECRETARY OF STATE

Bureau of Elections, Ethics Administration
 325 Don Gaspar, Suite 300, Santa Fe, New Mexico 87501
 Phone: (505) 827-3600 Toll-Free: (800) 477-3632
 Fax: (505) 827-8403

LOBBYING ADVERTISING CAMPAIGN Registration Form

An organization of two or more persons, including an individual who makes any representation as being an organization, that within one calendar year expends funds in excess of two thousand five hundred dollars (\$2,500) not otherwise reported under the Lobbyist Regulation Act to conduct an advertising campaign for the purpose of lobbying shall register with the secretary of state within forty-eight hours after expending two thousand five hundred dollars (\$2,500), see § 2-11-6(I).

To register, please complete and file this Registration form with the Secretary of State's Office. The law requires the following information be disclosed: the name of the organization and the names, addresses and occupations of any of its principals, organizers or officers and the name of any lobbyist or lobbyist's employer who is a member of the organization. Thereafter, within 15 days after a legislative sessions, the organization is required to file a report of expenditures and contributions with the Secretary of State including the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign. To file the above mentioned report please complete the Lobbyist Advertising Campaign Reporting Form and timely submit it to our office.

☒ New Registration

☐ Registration Amendment

Please type or print legally

Registration Year 2021

1. Complete Name of Organization or Individual Conducting Advertising Campaign Fairness for New Mexico Patients	Telephone # (505) 221-6816
2. Business Address (street address, city, state & zip) P.O. Box 25642, Albuquerque, NM 87125	Email Address info@fairnessnm.com
3. Mailing Address (if different than business address) 	
4. Full Name of Person Completing this Registration Form Jon Lipshutz	
4a. Your Telephone Number & Email Address (505) 221-6816 jblipshutz@gmail.com	

REGISTRATION FORM FOR LOBBYING ADVERTISING

5. List and Identify all Principals (P) and Organizers (O) of the Organization:		
Full Name	Address	Occupation
Jon Lipshutz Principal	325 Madison St. NE, Albuquerque, NM 87108	Consultant

6. List and Identify all Officers of the Organization:		
Name and Title	Address	Occupation
Matthew Nickerson Treasurer	P.O. Box 25642, Albuquerque, NM 87125	Chief Executive Officer
Kelly Smyer President	P.O. Box 25642, Albuquerque, NM 87125	Not Employed
Christopher Sanchez Secretary	P.O. Box 25642, Albuquerque, NM 87125	Real Estate

7. List all Lobbyist or Lobbyist's Employer Who are Members of the Organization, if none, write "none."	
Full Name of Each Lobbyist	Full Name of Each Lobbyist Employer
None	None

I hereby swear or affirm under penalty of law that all the information on this form is true, correct and complete to the best of my knowledge.

Jon Lipshutz	01/12/2021
_____ Signature of Principal, Organizer or Officer	_____ Date



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2021 Report of Advertising Campaign Reporting Form

Name Of The Organization: Fairness for New Mexico Patients	
Business Address: P.O. Box 25642, Albuquerque, NM 87125	
Email Address info@fairnessnm.com	Telephone # (505) 221-6816
Name Of Contact Person Jon Lipshutz	
Email Address jblipshutz@gmail.com	Telephone # (505) 221-6816

EXPENDITURES AND COMMITMENTS TO EXPEND

DATE	Purpose Of Expenditures	Type	Amount
01/08/2021	Video production	Expenditure	\$3,000.00
01/08/2021	Digital video advertising	Expenditure	\$28,540.00
01/29/2021	Email services	Expenditure	\$76.87
02/22/2021	Digital video advertising	Expenditure	\$11,000.00
02/22/2021	Texting program	Expenditure	\$7,050.00
02/22/2021	Phone program to legislators	Expenditure	\$11,532.00
02/22/2021	Email program to legislators	Expenditure	\$8,580.00
02/26/2021	Email services	Expenditure	\$76.87
03/10/2021	Facebook advertising	Expenditure	\$3,000.00
03/19/2021	Facebook advertising	Expenditure	\$304.89
03/29/2021	Email services	Expenditure	\$128.11
TOTAL AMOUNT			\$73,288.74

CONTRIBUTIONS AND PLEDGES TO CONTRIBUTE

DATE	Name And Address Of Contributor	Occupation	Type	Amount
01/01/2021	Nicholas Rowley 421 W Water St, 3rd Floor, Decorah, IA 52101	Attorney	Contribution	\$30,000.00

01/11/2021	Nicholas Rowley 421 W Water St, 3rd Floor, Decorah, IA 52101	Attorney	Contribution	\$30,000.00
02/12/2021	Nicholas Rowley 421 W Water St, 3rd Floor, Decorah, IA 52101	Attorney	Contribution	\$40,000.00
TOTAL AMOUNT				\$100,000.00

I hereby swear or affirm, under penalty of law, that all the information on this form, including any attachments, is true, correct and complete of the best of my knowledge.

Jon Lipshutz

Administrator

4/20/2021

SIGNATURE Of Principal, Organizer, or Officer

Title

Date



OFFICE OF THE SECRETARY OF STATE

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LOBBYING ADVERTISING CAMPAIGN Registration Form

An organization of two or more persons, including an individual who makes any representation as being an organization, that within one calendar year expends funds in excess of two thousand five hundred dollars (\$2,500) not otherwise reported under the Lobbyist Regulation Act to conduct an advertising campaign for the purpose of lobbying shall register with the secretary of state within forty-eight hours after expending two thousand five hundred dollars (\$2,500), see § 2-11-6(l).

To register, please complete and file this Registration form with the Secretary of State's Office. The law requires the following information be disclosed: the name of the organization and the names, addresses and occupations of any of its principals, organizers or officers and the name of any lobbyist or lobbyist's employer who is a member of the organization. Thereafter, within 15 days after a legislative sessions, the organization is required to file a report of expenditures and contributions with the Secretary of State including the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign. To file the above mentioned report please complete the Lobbyist Advertising Campaign Reporting Form and timely submit it to our office.

☐ New Registration

☒ Registration Amendment

Please type or print legally

Registration Year 2025

1. Complete Name of Organization or Individual Conducting Advertising Campaign Fairness for New Mexico Patients	Telephone # (505) 221-6816
2. Business Address (street address, city, state & zip) P.O. Box 25642, Albuquerque, NM 87125	Email Address info@fairnessnm.com
3. Mailing Address (if different than business address) 	
4. Full Name of Person Completing this Registration Form Jon Lipshutz	
4a. Your Telephone Number & Email Address (505) 221-6816 jblipshutz@gmail.com	

REGISTRATION FORM FOR LOBBYING ADVERTISING

5. List and Identify all Principals (P) and Organizers (O) of the Organization:		
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Christopher Sanchez Secretary	P.O. Box 25642, Albuquerque, NM 87125	Real Estate

7. List all Lobbyist or Lobbyist's Employer Who are Members of the Organization, if none, write "none."	
Full Name of Each Lobbyist	Full Name of Each Lobbyist Employer
None	None

I hereby swear or affirm under penalty of law that all the information on this form is true, correct and complete to the best of my knowledge.

Jon Lipshutz	01/12/2021
_____ Signature of Principal, Organizer or Officer	_____ Date



SARA BERGER LAW

P.O. Box 90504

Portland, OR 97290

Licensed in New Mexico and Oregon

TELEPHONE

(971) 322-6458

EMAIL

sara@swnonprofitlaw.com

May 23, 2025

Caroline Chato
Chief Compliance Counsel
State Ethics Commission
800 Bradbury Drive Southeast, Suite 215
Albuquerque, NM 87106
Via email: Caroline.Chato@state.nm.us

Re: New Mexico Safety Over Profit

Dear Ms. Chato:

This firm represents New Mexico Safety Over Profit (“NMSOP”). I write in response to your letter to my client dated May 13, 2025, requesting my client register and report a lobbying advertising campaign.

As you noted in your letter to my client, NMSOP reported its expenditures through its lobbyist employer registration. NMSA § 2-11-6(A) provides in pertinent part:

Each lobbyist who receives compensation or lobbyist's employer who makes or incurs expenditures... shall file an expenditure report with the secretary of state using an electronic reporting system approved by the secretary of state in accordance with Section 2-11-7 NMSA 1978. The expenditure report shall include a sworn statement that sets forth:

...(2) each individual expenditure of one hundred dollars (\$100) or more made or incurred by the employer or lobbyist during the covered reporting period, indicating the amount spent and a description of the expenditure. The list shall be separated into the following categories:

- (a) meals and beverages;
- (b) other entertainment expenditures; and
- (c) other expenditures;

This method of reporting fully satisfies NMSOP’s reporting obligations pursuant to the Lobbyist Regulation Act (“LRA”) and is also the method that my client was instructed by the

SoS to use to report these expenditures. Furthermore, your statement that “Section 2-11-6(I) required NMSOP to register and report...” is incorrect. The plain language of the LRA requires an organization to register and report a lobbying advertising campaign only when “not otherwise reported under the Lobbyist Regulation Act.” NMSA § 2-11-6(I). In this case, NMSOP reported its expenditures as a lobbyist employer.

The LRA provides that the SoS “shall advise and seek to educate all persons required to perform duties pursuant to the Lobbyist Regulation Act of those duties.” NMSA § 2-11-8.2(A). The SoS advised NMSOP to file these expenditures through its lobbyist employer registration. The SoS can confirm that the filing of a lobbyist employer expenditure report satisfies compliance with the LRA.

Sincerely,

/s/ Sara Berger

SARA BERGER

cc. Peter Auh, General Counsel, New Mexico Office of Secretary of State

(peter.auh@sos.nm.gov)

Encl.



STATE ETHICS COMMISSION

Caroline "KC" Chato, Chief Compliance Counsel
800 Bradbury Drive Southeast, Suite 215
Albuquerque, NM 87106
505.362.9617 | Caroline.Chato@sec.nm.gov

Hon. William F. Lang (Chair)
Jeffrey L. Baker
Stuart M. Bluestone
Hon. Celia Castillo
Hon. Gary L. Clingman
Hon. Dr. Terry McMillan
Dr. Judy Villanueva

Jeremy D. Farris, Executive Director

May 13, 2025

Via e-mail correspondence only

Jon Lipshutz
1228 Central Ave. SW
Albuquerque, NM 87102
E-mail: jbipshutz@gmail.com

Re: 2025 Lobbyist Advertising Campaign

Dear Mr. Lipshutz,

My name is Caroline Chato. I am the Chief Compliance Counsel of the State Ethics Commission, an independent, constitutional agency created by Article V, Section 17 of the New Mexico Constitution which is authorized to enforce the provisions of New Mexico's Lobbyist Regulation Act, NMSA 1978, §§ 2-11-1 to -10 (1977, as amended through 2021). I write in regard to New Mexico Safety Over Profits ("NMSOP"), seeking voluntary compliance with the Lobbyist Regulation Act's registration and reporting requirements for lobbyist advertising campaigns. *See generally* NMSA 1978, § 2-11-8.2(C) (2021).

Under NMSA 1978, Section 2-11-6(I) (2019), organizations consisting of two or more persons that, within one calendar year, have expended funds in excess of \$2,500 to conduct an advertising campaign for the purpose of lobbying must register with the Secretary of State. The Commission has evidence tending to show that over the course of the last year, NMSOP expended funds in excess of \$2,500 within a calendar year to conduct an advertising campaign for the purpose of lobbying related to medical malpractice reform. This evidence includes multiple full-page, color advertisements in the *Albuquerque Journal* and *Santa Fe New Mexican*, a 28-page report on healthcare in New Mexico and medical malpractice reform, as well as a website which provides information, resources, and options for visitors to contact members of the New Mexico Legislature. Accordingly, Section 2-11-6(I) required NMSOP to register and report certain information related to the advertising campaign, discussed further below. While I am aware that NMSOP has filed as a lobbyist employer, it does not appear the NMSOP has properly reported the information required under Section 2-11-6(I) of the Lobbyist Regulation Act for the funds expended to conduct the advertising campaign.

To register NMSOP as a lobbying advertising campaign under Section 2-11-6(I), please use the Secretary of State's CFIS portal: <https://login.cfis.sos.state.nm.us/#/index>. Registration is done through the "Register" tab on the top right of CFIS, followed by "Lobbyist Reporting," which then prompts a "Registration type" including "Lobbying Advertising Campaign." The Lobbying Advertising Campaign Registration form is also available here: <https://login.cfis.sos.state.nm.us/index.html#/LobbyistAdvertisingCampaign>. As you complete

this registration form, please pay attention to the requirements of Section 2-11-6(I), which I provide in full here:

An organization of two or more persons, including an individual who makes any representation as being an organization, that within one calendar year expends funds in excess of two thousand five hundred dollars (\$2,500) not otherwise reported under the Lobbyist Regulation Act to conduct an advertising campaign for the purpose of lobbying shall register with the secretary of state within forty-eight hours after expending two thousand five hundred dollars (\$2,500). Such registration shall indicate the name of the organization and the names, addresses and occupations of any of its principals, organizers or officers and shall include the name of any lobbyist or lobbyist's employer who is a member of the organization. Within fifteen days after a legislative session, *the organization shall report the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign for the purpose of lobbying, including the names, addresses, employers and occupations of the contributors, to the secretary of state on a prescribed form.*

§ 2-11-6(I) (emphasis added).

This letter is issued out of the Commission's commitment to seek voluntary compliance with the Lobbyist Regulation Act. § 2-11-8.2(C). If you have information showing that NMSOP has either registered and reported the advertising campaign, or did not spend funds in excess of \$2,500 on an advertising campaign for the purpose of lobbying, please provide that evidence or information to me by Friday, May 23, 2025. If you believe that you are not the appropriate person to register NMSOP's advertising campaign with the Secretary of State, then I would appreciate if you would provide the names and contact details of NMSOP's "principles, organizers or officers" or other agents. I am happy to send another request directly to them.

Please do not hesitate to contact me with any questions.

Sincerely yours,



Caroline Chato
Chief Compliance Counsel
State Ethics Commission



OFFICE OF THE SECRETARY OF STATE

Bureau of Elections, Ethics Administration
 325 Don Gaspar, Suite 300, Santa Fe, New Mexico 87501
 Phone: (505) 827-3600 Toll-Free: (800) 477-3632
 Fax: (505) 827-8403

2025 LOBBYIST REPORTING FORM

Report of Expenditures & Contributions

FORM A

IDENTIFYING INFORMATION & FINANCIAL SUMMARY

REPORT TITLE	Lobbyist 48-Hour Expenditure Report (Lobbyist Employers)		
FILING AS A:	Lobbyist	Lobbyist Employer	X within 48 hours during session
Name of Lobbyist 1.a	Telephone		Fax
Address b.	City	State	Zip
If filing as lobbyist employer, the Employer's name c. Jon Lipshutz	Address 1228 Central Ave. SW	Telephone # (505) 221-6816	

2.	FINANCIAL SUMMARY (Cumulative)		
a.	Total Meal and Beverage Expenses (incl. Form B)	\$0.00	
b.	Total Other Entertainment Expenses (incl. Form B)	\$0.00	
c.	Total Other Expenses (incl. Form B)	\$80,000.00	
d.	Total Special Event Expenses (incl. Form C)	\$0.00	
e.	TOTAL EXPENDITURES (incl. Forms B and C)		\$80,000.00
f.	TOTAL POLITICAL CONTRIBUTIONS (Form D)		\$0.00

Report of Expenditures
FORM B
EXPENDITURES

Name of Lobbyist or Lobbyist Employer: Jon Lipshutz

Date	Name of payee	Beneficiary	Type	Purpose for which made or incurred	Expenditure On Behalf Of	Amount
1/29/2025	J&Z Strategies	All members of the legislature	Other Expenditures	Call to action on corporation transparency	New Mexico Safety Over Profit	\$80,000.00

Total Form B: \$80,000.00

**Report of Expenditures
FORM C
SPECIAL EVENTS**

Name of Lobbyist or Lobbyist Employer: Jon Lipshutz

Date	Type of Event & Location	Group(s) Invited	Total Expenses
------	--------------------------	------------------	----------------


Total Special Events

Report of Expenditures
FORM D
POLITICAL CONTRIBUTIONS

Name of Lobbyist or Lobbyist Employer: Jon Lipshutz



Date	Name of candidate, public official or ballot question supported or opposed	Contribution On Behalf Of	Amount
------	--	---------------------------	--------

Total Political Contributions



 Inactive



Library ID: 583808527818816



Jan 29, 2025 - Mar 22, 2025

Platforms  

Categories 

 Estimated audience size: 100 - 1K 

 Amount spent (USD): \$100 - \$199 

 Impressions: 15K - 20K 

[See ad details](#)



New Mexico Safety Over Profit

Sponsored • Paid for by New Mexico Safety Over Profit


Victims of sexual assault deserve justice and corporate greed stands in the way. Contact your lawmaker and tell them it's time that New Mexicans demand justice for those victims.



WWW.NMSOP.ORG

New Mexico Safety Over Profit



[Learn more](#)


 Inactive







Library ID: 1043517787535973



Feb 4, 2025 - Mar 23, 2025

Platforms  

Categories 

 Estimated audience size: 1K - 5K 

 Amount spent (USD): \$500 - \$599 

 Impressions: 70K - 80K 

[See ad details](#)



New Mexico Safety Over Profit

Sponsored • Paid for by New Mexico Safety Over Profit

Victims of sexual assault deserve justice and corporate greed stands in the way. Contact your lawmaker and tell them it's time that New Mexicans demand justice for those victims.



WWW.NMSOP.ORG


New Mexico Safety Over Profit

[Learn more](#)


Inactive



Library ID: 1325319298789079

Mar 9, 2025 - Mar 16, 2025

Platforms  

Categories 

 Estimated audience size: 100 - 1K 

 Amount spent (USD): <\$100 

 Impressions: 2K - 3K 

See ad details



New Mexico Safety Over Profit

Sponsored - Paid for by New Mexico Safety Over Profit

Big Corporations are robbing healthcare workers of vital resources. Urge your legislator to disclose medical corporation profits!



www.nmsop.org

NM Safety Over Profits
Corporate Transparency Now

Learn more