

1 **4-226A. Civil complaint provisions; medical debt claims.**

2
3 [For use with Rules 1-009(J), 2-201(E), and 3-201(E) NMRA]
4

5 In addition to the requirements set forth in the New Mexico Rules of Civil Procedure, a pleading
6 asserting a claim subject to Rules 1-009(J), 2-201(E), or 3-201(E) NMRA shall include, at a
7 minimum, the following provisions:

8
9 STATE OF NEW MEXICO
10 COUNTY OF _____
11 _____ JUDICIAL DISTRICT/MAGISTRATE COURT/
12 METROPOLITAN COURT

13
14 _____, Plaintiff,
15 v. _____ No. _____
16 _____, Defendant.

17
18 **CIVIL COMPLAINT FOR MEDICAL DEBT**

19
20 (a) The full name and address of the Defendant is as follows:

21 _____
22 _____
23 _____

24
25 (b) The last two (2) digits of the Defendant's social security number, contained in the
26 original creditor's records are as follows:

27 _____
28 _____

29
30 (c) If the Plaintiff does not provide the social security number above, the Plaintiff
31 states, with specificity, that the basis on which it was determined that the named Defendant is the
32 debtor on the debt is as follows:

33 _____
34 _____
35 _____

36
37 _____ The Plaintiff has determined that the Defendant is not indigent as follows:

38
39 [] The Plaintiff in this action is a Health Care Facility

40
41 [] The Plaintiff conducted a screening, under 13.10.39.8 NMAC, during which
42 it determined that the Defendant is not indigent.

43
44 or
45

1 [] After complying with 13.10.39.9(A)(a) and (B) NMAC, the Plaintiff
2 determined that the Defendant is not indigent.

3
4 or

5
6 [] Upon information and belief, the Defendant is not indigent under the
7 methodology in 13.10.39.9(B) NMAC, and the Plaintiff was unable to make a
8 determination otherwise due to noncooperation by the Defendant, including after making
9 at least the following three documented attempts to contact the Defendant:

10
11
12
13
14 [] The Plaintiff in this action is a Third-party Health Care Provider.

15
16 [] The Health Care Facility has not informed the Plaintiff that the
17 Defendant is indigent.

18
19 and

20 [] After complying with 13.10.39.9(A)(a) and (B) NMAC, the Plaintiff
21 determined that the Defendant is not indigent.

22
23 or

24
25 [] Upon information and belief, the Defendant is not indigent under the
26 methodology in 13.10.39.9(B) NMAC, and Plaintiff was unable to make a
27 determination otherwise due to noncooperation by the Defendant, including after
28 making at least the following three documented attempts to contact the
29 Defendant:

30
31
32
33
34 [] The Plaintiff in this action is a Medical Creditor other than a Health Care Facility or a
35 Third-party Health Care Provider.

36
37 [] After complying with 13.10.39.9(A)(a) and (B) NMAC, the Plaintiff
38 determined that the Defendant is not indigent.

39
40 or

41
42 [] Upon information and belief, the Defendant is not indigent under the
43 methodology in 13.10.39.9(B) NMAC, and the Plaintiff was unable to make a
44 determination otherwise due to noncooperation by the Defendant, including after

1 making at least the following three documented attempts to contact the
2 Defendant:
3

4 _____
5 _____
6 _____
7 [] The Plaintiff in this action is a Medical Debt Collector seeking to recover a medical
8 debt initially owed to a Health Care Facility or a Third-party Health Care Provider or another
9 Medical Creditor.

10
11 (1) The name and address of the current owner of this debt is as follows:
12

13 _____
14 _____
15 _____
16 (2) The name and address of the Medical Debt Collector is:
17

18 _____
19 _____
20 _____
21 (3) The New Mexico license number for the Medical Debt Collector is as
22 follows:
23

24 _____
25 (4) The name and address under which the original creditor did business with
26 the Defendant is as follows:
27

28 _____
29 _____
30 _____
31 (5) The last four (4) digits of the Defendant's account number, used by the
32 original creditor as of the date of default are as follows:
33

34 _____
35 (6) The name and address of the current owner of this debt is as follows:
36

37 _____
38 _____
39 _____
40 (7) The specific facts demonstrating that the Medical Debt Collector is the
41 real party in interest are as follows:
42

1 Principal amount due: _____
2 Interest: _____
3 Other charges, fees, and expenses (*specified individually*):
4 _____
5 _____

6 The itemization of the amount of the debt claimed set forth above does not include attorney fees
7 and court costs.

8
9 (b) The basis for each of the itemized charges, fees, or expenses is as follows:
10 _____
11 _____
12 _____

13
14 The date of last payment made by Defendant is as follows: _____

15
16 The Plaintiff states, consistent with Rules 1-011, 2-301, or 3-301 NMRA, that the
17 applicable statute of limitations on this claim has not run.

18
19 The Plaintiff also seeks court costs and the following additional relief as specified:
20 _____
21 _____
22 _____

23
24 WHEREFORE, the Plaintiff demands judgment in the amount of \$ _____, and costs
25 [and attorney fees] and such further relief as the court deems proper.

26
27 _____
28 Date Signature
29 _____
30 Name (*print*)
31 _____
32 Address (*print*)
33 _____
34 City, State, and Zip Code (*print*)
35 _____
36 Telephone Number
37 _____

38 USE NOTES

39
40 Rule 1-008(A)(3) NMRA bars asking for damages in any specific amount “unless it is a
41 necessary allegation of the complaint.” Rule 1-054(C) NMRA bars default judgments exceeding
42 the amount stated in the demand for judgment. Consistent with Rule 1-008(A)(3) and Rule 1-
43 054(C), and in order to provide notice to the defendant of the consequences of a default
44 judgment, the demand for judgment in a specific amount is here made a necessary part of the
45 complaint.

- 1
- 2 [Adopted by Supreme Court Order No. S-1-RCR-2025-00174, effective for all cases pending or
- 3 filed on or after December 31, 2025.]