

1 **13-2307I. "Regarded as" [~~defined~~] clarified. *No instruction drafted.***

2 *No instruction drafted.*

3 [Approved by Supreme Court Order No. 10-8300-024, effective September 27, 2010; as amended
4 by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending or filed on or
5 after December 31, 2025.]

6 **Committee commentary.** — See [~~*Trujillo v. Northern Rio Arriba Electric Cooperative*~~] *Trujillo*
7 *v. N. Rio Arriba Elec. Coop.*, 2002-NMSC-004, ¶ 17, 131 N.M. 607, 41 P.3d 333 (stating that the
8 fact that the employer was aware of employee’s health problems is alone not sufficient to show
9 that employer regarded employee as having a medical condition or that [~~he~~] the employee was
10 fired for that reason).

11 [Approved by Supreme Court Order No. 10-8300-024[, ~~effective September 27, 2010~~]; as
12 amended by Supreme Court Order No. S-1-RCR-2025-00126.]