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HOUSE BILL 284

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Terry H. McMillan

AN ACT

RELATING TO HEALTH INSURANCE; ENACTING SECTIONS OF THE HEALTH CARE PURCHASING ACT, THE NEW MEXICO INSURANCE CODE, THE HEALTH MAINTENANCE ORGANIZATION LAW AND THE NONPROFIT HEALTH CARE PLAN LAW TO ESTABLISH COST-SHARING FOR CERTAIN HEALTH CARE PRACTITIONERS AT RATES NO HIGHER THAN THE COST-SHARING RATES CHARGED FOR PRIMARY CARE PROVIDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Health Care Purchasing Act is enacted to read:

"[NEW MATERIAL] COST-SHARING LIMITS FOR CERTAIN SERVICES.--

A. Group health coverage, including any form of self-insurance, offered, issued or renewed under the Health Care Purchasing Act that provides coverage for physical

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underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 therapy, occupational therapy, speech-language pathology or
2 chiropractic services shall require an enrollee to pay a
3 copayment, co-insurance or deductible for those services in an
4 amount that is no greater than the group health coverage
5 requires the enrollee to pay for the services of a primary care
6 provider.

7 B. As used in this section, "primary care provider"
8 means a health care practitioner acting within the scope of the
9 practitioner's license who provides the first level of basic or
10 general health care for a person's health needs, including
11 diagnostic and treatment services, initiation of referrals to
12 other health care practitioners and maintenance of the
13 continuity of care when appropriate."

14 SECTION 2. A new section of Chapter 59A, Article 22 NMSA
15 1978 is enacted to read:

16 "[NEW MATERIAL] COST-SHARING LIMITS FOR CERTAIN
17 SERVICES.--

18 A. An individual health insurance policy, health
19 care plan or certificate of health insurance that is delivered,
20 issued for delivery or renewed in this state and that provides
21 coverage for physical therapy, occupational therapy, speech-
22 language pathology or chiropractic services shall require an
23 insured to pay a copayment, co-insurance or deductible for
24 those services in an amount that is no greater than the policy,
25 plan or certificate requires the insured to pay for the

underscored material = new
[bracketed material] = delete

1 services of a primary care provider.

2 B. As used in this section, "primary care provider"
3 means a health care practitioner acting within the scope of the
4 practitioner's license who provides the first level of basic or
5 general health care for a person's health needs, including
6 diagnostic and treatment services, initiation of referrals to
7 other health care practitioners and maintenance of the
8 continuity of care when appropriate."

9 SECTION 3. A new section of Chapter 59A, Article 23 NMSA
10 1978 is enacted to read:

11 "[NEW MATERIAL] COST-SHARING LIMITS FOR CERTAIN
12 SERVICES.--

13 A. A group or blanket health insurance policy,
14 health care plan or certificate of health insurance that is
15 delivered, issued for delivery or renewed in this state and
16 that provides coverage for physical therapy, occupational
17 therapy, speech-language pathology or chiropractic services
18 shall require an insured to pay a copayment, co-insurance or
19 deductible for those services in an amount that is no greater
20 than the policy, plan or certificate requires the insured to
21 pay for the services of a primary care provider.

22 B. As used in this section, "primary care provider"
23 means a health care practitioner acting within the scope of the
24 practitioner's license who provides the first level of basic or
25 general health care for a person's health needs, including

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underscoring material = new
[bracketed material] = delete

1 diagnostic and treatment services, initiation of referrals to
2 other health care practitioners and maintenance of the
3 continuity of care when appropriate."

4 SECTION 4. A new section of the Health Maintenance
5 Organization Law is enacted to read:

6 "[NEW MATERIAL] COST-SHARING LIMITS FOR CERTAIN
7 SERVICES.--

8 A. An individual or group health maintenance
9 organization contract that is delivered, issued for delivery or
10 renewed in this state and that provides coverage for physical
11 therapy, occupational therapy, speech-language pathology or
12 chiropractic services shall require a subscriber to pay a
13 copayment, co-insurance or deductible for those services in an
14 amount that is no greater than the health maintenance
15 organization contract requires the subscriber to pay for the
16 services of a primary care provider.

17 B. As used in this section, "primary care provider"
18 means a health care practitioner acting within the scope of the
19 practitioner's license who provides the first level of basic or
20 general health care for a person's health needs, including
21 diagnostic and treatment services, initiation of referrals to
22 other health care practitioners and maintenance of the
23 continuity of care when appropriate."

24 SECTION 5. A new section of the Nonprofit Health Care
25 Plan Law is enacted to read:

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1 "[NEW MATERIAL] COST-SHARING LIMITS FOR CERTAIN

2 SERVICES.--

3 A. An individual or group health care plan that is
4 delivered, issued for delivery or renewed in this state and
5 that provides coverage for physical therapy, occupational
6 therapy, speech-language pathology or chiropractic services
7 shall require a subscriber to pay a copayment, co-insurance or
8 deductible for those services in an amount that is no greater
9 than the health care plan requires the subscriber to pay for
10 the services of a primary care provider.

11 B. As used in this section, "primary care provider"
12 means a health care practitioner acting within the scope of the
13 practitioner's license who provides the first level of basic or
14 general health care for a person's health needs, including
15 diagnostic and treatment services, initiation of referrals to
16 other health care practitioners and maintenance of the
17 continuity of care when appropriate."