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AN ACT

RELATING TO INSURANCE; PROVIDING EMPLOYERS WITH INCREASED
ACCESS TO UTILIZATION AND LOSS EXPERIENCE INFORMATION.

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

Section 1. A new section of Chapter 59A, Article 23
NMSA 1978 is enacted to read:

"EMPLOYER UTILIZATION AND LOSS DATA AVAILABILITY. --
Claims information, including utilization and loss
experience under health insurance provided under Chapter
59A, Article 23 NMSA 1978 shall be made available only upon
the request of and to employers of employees with such
coverage within sixty days of an employer's written request
for such information, provided the employer's coverage
extends to no less than twenty-five individual employees,
regardless of whether family coverage is included. In
providing such utilization data, carriers shall not reveal
information that allows identification of an individual
employee or the employee's family or the specific conditions
for which coverage was provided."

Section 2. A new section of Chapter 59A, Article 23B
NMSA 1978 is enacted to read:

"EMPLOYER UTILIZATION AND LOSS DATA AVAILABILITY. --
Employer claims information, including utilization and loss
experience under a health insurance policy or plan provided

1 under Chapter 59A, Article 23B NMSA 1978 shall be made
2 available only upon the request of and to employers of
3 employees with such coverage within sixty days of an
4 employer's written request for such information, provided
5 the employer's coverage extends to no less than twenty-five
6 individual employees, regardless of whether family coverage
7 is included. In providing such utilization data, carriers
8 shall not reveal information that allows identification of
9 an individual insured or the insured's family or the
10 specific conditions for which coverage was provided. "

11 Section 3. A new section of Chapter 59A, Article 23C
12 NMSA 1978 is enacted to read:

13 "EMPLOYER UTILIZATION AND LOSS DATA AVAILABILITY. --
14 Employer claims information, including utilization and loss
15 experience under health insurance under a group health plan,
16 a health benefit plan or a plan provided under Chapter 59A,
17 Article 23C NMSA 1978 shall be made available only upon the
18 request of and to employers of employees with such coverage
19 within sixty days of an employer's written request to the
20 carrier for such information, provided the employer's
21 coverage extends to no less than twenty-five individual
22 employees, regardless of whether family coverage is
23 included. In providing such utilization data, carriers
24 shall not reveal information that permits identification of
25 an individual insured or the insured's family or the

1 specific conditions for which coverage was provided. "

2 Section 4. A new section of Chapter 59A, Article 46
3 NMSA 1978 is enacted to read:

4 "EMPLOYER UTILIZATION AND LOSS DATA AVAILABILITY. --
5 Employer claims information, including utilization and loss
6 experience under health insurance provided under Chapter
7 59A, Article 46 NMSA 1978 shall be made available only upon
8 the request of and to employers of enrollees with such
9 coverage within sixty days of an employer's written request
10 for such information to the carrier, provided the employer's
11 coverage extends to no less than twenty-five individual
12 enrollees, regardless of whether family coverage is
13 included. In providing such utilization data, carriers
14 shall not reveal information that permits identification of
15 an individual enrollee or the enrollee's family or the
16 specific conditions for which coverage was provided. "

17 Section 5. A new section of Chapter 59A, Article 47
18 NMSA 1978 is enacted to read:

19 "EMPLOYER UTILIZATION AND LOSS DATA AVAILABILITY. --
20 Employer claims information, including utilization and loss
21 experience under health insurance provided under Chapter
22 59A, Article 47 NMSA 1978 shall be made available only upon
23 the request of and to employers of subscribers with such
24 coverage within sixty days of an employer's written request
25 to the carrier for such information, provided the employer's

1 coverage extends to no less than twenty-five individual
2 subscribers, regardless of whether family coverage is
3 included. In providing such utilization data, carriers
4 shall not reveal information that permits identification of
5 an individual subscriber or the subscriber's family or the
6 specific conditions for which coverage was provided. "_____

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