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AN ACT

RELATING TO HEALTH COVERAGE; ENACTING NEW 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 HEALTH CARE COVERAGE IDENTIFICATION CARD REQUIREMENTS.

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:

"IDENTIFICATION CARDS--REQUIREMENTS--TIMELY ISSUANCE AND RENEWAL--RULEMAKING.--

A. A group health plan offering coverage pursuant to this section shall make available or provide an identification card to the primary insured. The group health plan may also make available or provide identification cards to individuals covered under the primary insured's coverage. The identification card shall contain the following data:

- (1) the card issuer identifier;
- (2) the name of the cardholder;
- (3) the cardholder's identification number;

and

- (4) the group health plan number.

B. A group health plan shall provide each primary insured a new identification card issued pursuant to this

1 section according to the following schedule:

2 (1) within thirty days of a group health
3 plan's effective date; and

4 (2) no later than thirty days after the
5 group health plan receives notice of a change in any
6 information that an identification card is required to
7 contain pursuant to Subsection A of this section.

8 C. By July 1, 2018, the secretary of general
9 services shall consult with the superintendent of insurance
10 and adopt and promulgate rules, that are identical to the
11 rules adopted by the office of superintendent of insurance
12 pursuant to Sections 2, 3, 4 and 5 of this 2017 act, to
13 establish standards for identification cards issued pursuant
14 to this section. In adopting these rules, the secretary
15 shall consider the following factors:

16 (1) state and national industry standards
17 for machine readability of identification cards;

18 (2) the cost associated with issuing
19 machine-readable identification cards;

20 (3) the feasibility of issuing machine-
21 readable identification cards; and

22 (4) the projected utilization of the
23 machine-readable portions of identification cards.

24 D. The provisions of this section shall not apply
25 to group health coverage intended to supplement major medical

1 group-type coverage such as medicare supplement, long-term
2 care, disability income, specified disease, accident-only,
3 hospital indemnity or any other limited-benefit health
4 insurance policy.

5 E. As used in this section, "identification card"
6 means a card or other machine-readable format or medium,
7 including bar codes or other electronic coding, that contains
8 the information required pursuant to this section."

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

11 "IDENTIFICATION CARDS--REQUIREMENTS--TIMELY ISSUANCE AND
12 RENEWAL--RULEMAKING.--

13 A. An insurer that delivers, issues for delivery
14 or renews an individual health insurance policy, health care
15 plan or certificate of health insurance in this state shall
16 make available or provide an identification card to the
17 primary insured. The insurer may also make available or
18 provide identification cards to individuals covered under the
19 primary insured's coverage. The identification card shall
20 contain the following data:

- 21 (1) the card issuer identifier;
- 22 (2) the name of the cardholder;
- 23 (3) the cardholder's identification number;

24 and

- 25 (4) the policy, plan or certificate number.

1 B. An insurer shall provide each primary insured a
2 new identification card issued pursuant to this section
3 according to the following schedule:

4 (1) within thirty days of a health insurance
5 policy's, health care plan's or certificate of health
6 insurance's effective date; and

7 (2) no later than thirty days after the
8 insurer receives notice of a change in any information that
9 an identification card is required to contain pursuant to
10 Subsection A of this section.

11 C. By July 1, 2018, the superintendent shall adopt
12 and promulgate rules, that are identical to the rules that
13 the secretary of general services adopts pursuant to Section
14 1 of this 2017 act, to establish standards for identification
15 cards issued pursuant to this section. In adopting these
16 rules, the superintendent shall consider the following
17 factors:

18 (1) state and national industry standards
19 for machine readability of identification cards;

20 (2) the cost associated with issuing
21 machine-readable identification cards;

22 (3) the feasibility of issuing
23 machine-readable identification cards; and

24 (4) the projected utilization of the
25 machine-readable portions of identification cards.

1 D. The provisions of this section shall not apply
2 to individual health insurance policies, plans or
3 certificates intended to supplement major medical group-type
4 coverage such as medicare supplement, long-term care,
5 disability income, specified disease, accident-only, hospital
6 indemnity or any other limited-benefit health insurance
7 policy, plan or certificate.

8 E. As used in this section, "identification card"
9 means a card or other machine-readable format or medium,
10 including bar codes or other electronic coding, that contains
11 the information required pursuant to this section."

12 **SECTION 3.** A new section of Chapter 59A, Article 23
13 NMSA 1978 is enacted to read:

14 "IDENTIFICATION CARDS--REQUIREMENTS--TIMELY ISSUANCE AND
15 RENEWAL--RULEMAKING.--

16 A. An insurer that delivers, issues for delivery
17 or renews a group or blanket health insurance policy, health
18 care plan or certificate of health insurance in this state
19 shall make available or provide an identification card to the
20 primary insured. The insurer may also make available or
21 provide identification cards to individuals covered under the
22 primary insured's coverage. The identification card shall
23 contain the following information in a readily identifiable
24 format on the face of the card and via electronic coding
25 associated with the card:

- 1 (1) the card issuer identifier;
- 2 (2) the name of the cardholder;
- 3 (3) the cardholder's identification number;
- 4 and
- 5 (4) the policy, plan or certificate number.

6 B. An insurer shall provide each primary insured a
7 new identification card issued pursuant to this section
8 according to the following schedule:

9 (1) within thirty days of a health insurance
10 policy, health care plan or certificate of health insurance
11 becoming effective; and

12 (2) no later than thirty days after the
13 insurer receives notice of a change in any information that
14 an identification card is required to contain pursuant to
15 Subsection A of this section.

16 C. By July 1, 2018, the superintendent shall adopt
17 and promulgate rules, that are identical to the rules that
18 the secretary of general services adopts pursuant to Section
19 1 of this 2017 act, to establish standards for identification
20 cards issued pursuant to this section. In adopting these
21 rules, the superintendent shall consider the following
22 factors:

23 (1) state and national industry standards
24 for machine readability of identification cards;

25 (2) the cost associated with issuing

1 machine-readable identification cards;

2 (3) the feasibility of issuing
3 machine-readable identification cards; and

4 (4) the projected utilization of the
5 machine-readable portions of identification cards.

6 D. The provisions of this section shall not apply
7 to a group or blanket policy, plan or contract intended to
8 supplement major medical coverage such as medicare
9 supplement, long-term care, disability income, specified
10 disease, accident-only, hospital indemnity or any other
11 limited-benefit health insurance policy.

12 E. As used in this section, "identification card"
13 means a card or other machine-readable format or medium,
14 including bar codes or other electronic coding, that contains
15 the information required pursuant to this section."

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

18 "IDENTIFICATION CARDS--REQUIREMENTS--TIMELY ISSUANCE AND
19 RENEWAL--RULEMAKING.--

20 A. A carrier that delivers, issues for delivery or
21 renews an individual or group health maintenance organization
22 contract in this state shall make available or provide an
23 identification card to the primary enrollee. The carrier may
24 also make available or provide identification cards to
25 individuals covered under the primary enrollee's coverage.

1 The identification card shall contain the following data:

2 (1) the card issuer identifier;

3 (2) the name of the cardholder;

4 (3) the cardholder's identification number;

5 and

6 (4) the health maintenance organization plan
7 or contract number.

8 B. A carrier shall provide each primary enrollee a
9 new identification card issued pursuant to this section
10 according to the following schedule:

11 (1) within thirty days of a health
12 maintenance organization contract's effective date; and

13 (2) no later than thirty days after the
14 carrier receives notice of a change in any information that
15 an identification card is required to contain pursuant to
16 Subsection A of this section.

17 C. By July 1, 2018, the superintendent shall adopt
18 and promulgate rules, that are identical to the rules that
19 the secretary of general services adopts pursuant to Section
20 1 of this 2017 act, to establish standards for identification
21 cards issued pursuant to this section. In adopting these
22 rules, the superintendent shall consider the following
23 factors:

24 (1) state and national industry standards
25 for machine readability of identification cards;

1 (2) the cost associated with issuing
2 machine-readable identification cards;

3 (3) the feasibility of issuing
4 machine-readable identification cards; and

5 (4) the projected utilization of the
6 machine-readable portions of identification cards.

7 D. The provisions of this section shall not apply
8 to an individual or group health maintenance organization
9 contract intended to supplement major medical coverage such
10 as medicare supplement, long-term care, disability income,
11 specified disease, accident-only, hospital indemnity or any
12 other limited-benefit health insurance contract.

13 E. As used in this section, "identification card"
14 means a card or other machine-readable format or medium,
15 including bar codes or other electronic coding, that contains
16 the information required pursuant to this section."

17 **SECTION 5.** A new section of the Nonprofit Health Care
18 Plan Law is enacted to read:

19 "IDENTIFICATION CARDS--REQUIREMENTS--TIMELY ISSUANCE AND
20 RENEWAL--RULEMAKING.--

21 A. An individual or group health care plan shall
22 make available or provide an identification card to the
23 primary subscriber. The health care plan may also make
24 available or provide identification cards to individuals
25 covered under the primary subscriber's coverage. The

1 identification card shall contain the following data:

2 (1) the card issuer identifier;

3 (2) the name of the cardholder;

4 (3) the cardholder's identification number;

5 and

6 (4) the health care plan number.

7 B. A health care plan shall provide each primary
8 subscriber a new identification card issued pursuant to this
9 section according to the following schedule:

10 (1) within thirty days of a health care
11 plan's effective date; and

12 (2) no later than thirty days after the
13 health care plan receives notice of a change in any
14 information that an identification card is required to
15 contain pursuant to Subsection A of this section.

16 C. By July 1, 2018, the superintendent shall adopt
17 and promulgate rules, that are identical to the rules that
18 the secretary of general services adopts pursuant to Section
19 1 of this 2017 act, to establish standards for identification
20 cards issued pursuant to this section. In adopting these
21 rules, the superintendent shall consider the following
22 factors:

23 (1) state and national industry standards
24 for machine readability of identification cards;

25 (2) the cost associated with issuing

1 machine-readable identification cards;

2 (3) the feasibility of issuing
3 machine-readable identification cards; and

4 (4) the projected utilization of the
5 machine-readable portions of identification cards.

6 D. The provisions of this section shall not apply
7 to an individual or group health care plan intended to
8 supplement major medical coverage such as medicare
9 supplement, long-term care, disability income, specified
10 disease, accident-only, hospital indemnity or any other
11 limited-benefit health insurance health care plan.

12 E. As used in this section, "identification card"
13 means a card or other machine-readable format or medium,
14 including bar codes or other electronic coding, that contains
15 the information required pursuant to this section."

16 **SECTION 6. EFFECTIVE DATE.**--The effective date of the
17 provisions of this act is January 1, 2018.