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HOUSE MEMORIAL 112

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Patricio Ruiloba and Carl Trujillo

A MEMORIAL

REQUESTING THE OFFICE OF SUPERINTENDENT OF INSURANCE TO
UNDERTAKE AN ANALYSIS OF THE PROVISIONS OF CURRENT FEDERAL LAW
RELATING TO MINIMUM CONTRACEPTION COVERAGE AND MAKE
RECOMMENDATIONS TO THE LEGISLATURE REGARDING CHANGES NECESSARY
TO ALIGN STATE LAW WITH CURRENT FEDERAL CONTRACEPTION COVERAGE
REQUIREMENTS.

WHEREAS, with the passage in 2010 of the federal Patient
Protection and Affordable Care Act, also known as "Obamacare"
or the "Affordable Care Act", and federal regulations issued
pursuant to that act, women who have health coverage must be
provided with access to each of the contraceptive methods
approved by the United States food and drug administration; and

WHEREAS, according to the Guttmacher institute, the
proportion of women of reproductive age – generally, ages

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1 fifteen through forty-four – who were uninsured dropped by
2 forty-one percent between 2013 and 2016, over the first three
3 years of the Affordable Care Act's major expansions to medicaid
4 and private insurance coverage; and

5 WHEREAS, many members of the United States congress and
6 the federal executive branch have declared an intention to
7 overturn these and other provisions of the Affordable Care Act;
8 and

9 WHEREAS, states retain the ability to regulate most
10 insurance coverage, and, in the event of a repeal of all or
11 part of the Affordable Care Act, the New Mexico legislature can
12 ensure that the New Mexico Insurance Code and state coverage
13 programs for medicaid recipients and state employees and
14 retirees provide the same contraception coverage protections
15 that are currently codified in federal law;

16 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
17 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the office of
18 superintendent of insurance be requested to undertake an
19 analysis of the provisions in current federal law relating to
20 the minimum requirements for contraception coverage in the
21 individual and group health insurance markets in order to make
22 recommendations to the legislature for placing those
23 contraception coverage provisions in state law relating to
24 health coverage that is subject to state jurisdiction; and

25 BE IT FURTHER RESOLVED that the superintendent of

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1 insurance be requested to report to the legislative health and
2 human services committee by October 1, 2018, the
3 recommendations of the office of superintendent of insurance
4 regarding the changes necessary to align state law with federal
5 contraception coverage requirements; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the superintendent of insurance and the chair
8 and vice chair of the legislative health and human services
9 committee.

