

HOUSE BILL 126

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Christine Trujillo

This document incorporates amendments that have been adopted during the current legislative session. The document is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO HEALTH COVERAGE; ENACTING SECTIONS OF THE HEALTH CARE PURCHASING ACT, THE PUBLIC ASSISTANCE ACT, THE NEW MEXICO INSURANCE CODE, THE HEALTH MAINTENANCE ORGANIZATION LAW AND THE NONPROFIT HEALTH CARE PLAN LAW TO REQUIRE COVERAGE OF A HEART ARTERY CALCIUM SCAN FOR CERTAIN INDIVIDUALS.

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] HEART ARTERY CALCIUM SCAN COVERAGE.--

.215720.5AIC February 16, 2020 (12:25 pm)

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A. Group health coverage, including any form of self-insurance, offered, issued or renewed under the Health Care Purchasing Act shall provide coverage for eligible insureds to receive a heart artery calcium scan.

B. Coverage provided pursuant to this section shall:

(1) be limited to the provision of a heart artery calcium scan to an eligible insured to be used as a clinical management tool;

(2) be provided every five years if an eligible insured has previously received a heart artery calcium score of zero; and

(3) not be required for future heart artery calcium scans if an eligible insured receives a heart artery calcium score greater than zero.

C. At its discretion or as required by law, an insurer may offer or refuse coverage for further cardiac testing or procedures for eligible insureds based upon the results of a heart artery calcium scan.

D. The provisions of this section shall not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance.

E. As used in this section:

(1) "eligible insured" means an insured who:

(a) is a person between the ages of

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forty-five and sixty-five; and

(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;

(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and

(3) "heart artery calcium scan" means a computed tomography scan measuring coronary artery calcium for atherosclerosis and abnormal artery structure and function."

SECTION 2. A new section of the Public Assistance Act is enacted to read:

"[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

A. In accordance with federal law, the secretary shall adopt and promulgate rules that provide medical assistance coverage for eligible enrollees to receive a heart artery calcium scan.

B. Medical assistance coverage provided pursuant to this section shall:

(1) be limited to the provision of a heart artery calcium scan to an eligible enrollee to be used as a

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clinical management tool;

(2) be provided every five years if an eligible enrollee has previously received a heart artery calcium score of zero; and

(3) not be required for future heart artery calcium scans if an eligible enrollee receives a heart artery calcium score greater than zero.

C. At its discretion or as required by law, a managed care organization providing medical assistance may offer or refuse coverage for further cardiac testing or procedures for eligible enrollees based upon the results of a heart artery calcium scan.

D. The provisions of this section shall not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance.

E. As used in this section:

(1) "eligible enrollee" means an enrollee who:

(a) is a person between the ages of forty-five and sixty-five; and

(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;

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(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and

(3) "heart artery calcium scan" means a computed tomography scan measuring coronary artery calcium for atherosclerosis and abnormal artery structure and function."

SPAC → ~~SECTION 3. A new section of Chapter 59A, Article 22 NMSA 1978 is enacted to read:~~

~~"[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--~~

~~A. An individual or group health insurance policy, health care plan or certificate of health insurance delivered, issued for delivery or renewed in this state shall provide coverage for eligible insureds to receive a heart artery calcium scan.~~

~~B. Coverage provided pursuant to this section shall:~~

~~(1) be limited to the provision of a heart artery calcium scan to an eligible insured to be used as a clinical management tool;~~

~~(2) be provided every five years if an eligible insured has previously received a heart artery calcium score of zero; and~~

~~(3) not be required for future heart artery calcium scans if an eligible insured receives a heart artery~~

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~~calcium score greater than zero.~~

~~G. At its discretion or as required by law, an insurer may offer or refuse coverage for further cardiac testing or procedures for eligible insureds based upon the results of a heart artery calcium scan.~~

~~D. The provisions of this section do not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance.~~

~~E. As used in this section:~~

~~(1) "eligible insured" means an insured who:~~

~~(a) is a person between the ages of forty-five and sixty-five; and~~

~~(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;~~

~~(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and~~

~~(3) "heart artery calcium scan" means a computed tomography scan measuring coronary artery calcium for~~

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~~atherosclerosis and abnormal artery structure and function.~~"←SPAC

SECTION SPAC→4←SPAC SPAC→3←SPAC. A new section of Chapter 59A, Article 23 NMSA 1978 is enacted to read:

"[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

A. A group SPAC→health plan, other than a small group health plan←SPAC or SPAC→a←SPAC blanket health insurance policy or contract that is delivered, issued for delivery or renewed in this state shall provide coverage for eligible insureds to receive a heart artery calcium scan.

B. Coverage provided pursuant to this section shall:

(1) be limited to the provision of a heart artery calcium scan to an eligible insured to be used as a clinical management tool;

(2) be provided every five years if an eligible insured has previously received a heart artery calcium score of zero; and

(3) not be required for future heart artery calcium scans if an eligible insured receives a heart artery calcium score greater than zero.

C. At its discretion or as required by law, an insurer may offer or refuse coverage for further cardiac testing or procedures for eligible insureds based upon the results of a heart artery calcium scan.

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D. The provisions of this section do not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance.

E. As used in this section:

(1) "eligible insured" means an insured who:

(a) is a person between the ages of forty-five and sixty-five; and

(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;

(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and

(3) "heart artery calcium scan" means a computed tomography scan measuring coronary artery calcium for atherosclerosis and abnormal artery structure and function."

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

"[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

A. SPAC→An individual or←SPAC SPAC→A←SPAC group health maintenance organization contract SPAC→, other than a

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small group health maintenance organization contract, ←SPAC that is delivered, issued for delivery or renewed in this state shall provide coverage for eligible enrollees to receive a heart artery calcium scan.

B. Coverage provided pursuant to this section shall:

(1) be limited to the provision of a heart artery calcium scan to an eligible enrollee to be used as a clinical management tool;

(2) be provided every five years if an eligible enrollee has previously received a heart artery calcium score of zero; and

(3) not be required for future heart artery calcium scans if an eligible enrollee receives a heart artery calcium score greater than zero.

C. At its discretion or Hf11→as←Hf11 required by law, a carrier may offer or refuse coverage for further cardiac testing or procedures for eligible enrollees based upon the results of a heart artery calcium scan.

D. The provisions of this section do not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance.

E. As used in this section:

(1) "eligible enrollee" means an enrollee who:

(a) is a person between the ages of

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forty-five and sixty-five; and

(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;

(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and

(3) "heart artery calcium scan" means a computed tomography scan measuring coronary artery calcium for atherosclerosis and abnormal artery structure and function."

SECTION SPAC→6←SPAC SPAC→5←SPAC. A new section of the Nonprofit Health Care Plan Law is enacted to read:

"[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

A. SPAC→An individual or←SPAC SPAC→A←SPAC group health care plan SPAC→, other than a small group health care plan,←SPAC that is delivered, issued for delivery or renewed in this state shall provide coverage for eligible subscribers to receive a heart artery calcium scan.

B. Coverage provided pursuant to this section shall:

(1) be limited to the provision of a heart

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artery calcium scan to an eligible subscriber to be used as a clinical management tool;

(2) be provided every five years if an eligible subscriber has previously received a heart artery calcium score of zero; and

(3) not be required for future heart artery calcium scans if an eligible subscriber receives a heart artery calcium score greater than zero.

C. At its discretion or as required by law, a health care plan may offer or refuse coverage for further cardiac testing or procedures for eligible subscribers based upon the results of a heart artery calcium scan.

D. The provisions of this section do not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance.

E. As used in this section:

(1) "eligible subscriber" means a subscriber who:

(a) is a person between the ages of forty-five and sixty-five; and

(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a

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score calculated using a pooled cohort equation;

(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and

(3) "heart artery calcium scan" means a computed tomography scan measuring coronary artery calcium for atherosclerosis and abnormal artery structure and function."

SPAC→~~HHHC~~→~~SECTION 7. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2021.~~←~~HHHC~~←SPAC

SPAC→~~SPAC~~→~~SECTION 7. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2021.~~←~~SPAC~~←SPAC

SPAC→~~HHHC~~→~~SECTION 7. APPLICABILITY.--The provisions of this act are applicable to health insurance policies, health care plans or certificates of health insurance that are delivered, issued for delivery or renewed in this state on or after January 1, 2021.~~←~~HHHC~~←SPAC

SPAC→**SECTION 6. APPLICABILITY.--The provisions of this act are applicable to group health insurance policies, health care plans or certificates of health insurance, other than small group health plans, that are delivered, issued for delivery or renewed in this state on or after January 1, 2021.**←SPAC