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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:

"HEART ARTERY CALCIUM SCAN COVERAGE.--

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

1 calcium scans if an eligible insured receives a heart artery  
2 calcium score greater than zero.

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

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

10 E. As used in this section:

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

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

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

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

24 (3) "heart artery calcium scan" means a  
25 computed tomography scan measuring coronary artery calcium

1 for atherosclerosis and abnormal artery structure and  
2 function."

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

5 "HEART ARTERY CALCIUM SCAN COVERAGE.--

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

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

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

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

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

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

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

4           E. As used in this section:

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

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

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

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

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

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

25           "HEART ARTERY CALCIUM SCAN COVERAGE.--

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

6           B. Coverage provided pursuant to this section  
7 shall:

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

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

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

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

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

24           E. As used in this section:

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

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

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

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

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

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

19 "HEART ARTERY CALCIUM SCAN COVERAGE.--

20 A. A group health maintenance organization  
21 contract, other than a small group health maintenance  
22 organization contract, that is delivered, issued for delivery  
23 or renewed in this state shall provide coverage for eligible  
24 enrollees to receive a heart artery calcium scan.

25 B. Coverage provided pursuant to this section

1 shall:

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

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

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

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

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

18 E. As used in this section:

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

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

23 (b) has an intermediate risk of  
24 developing coronary heart disease as determined by a health  
25 care provider based upon a score calculated from an evidence-

1 based algorithm widely used in the medical community to  
2 assess a person's ten-year cardiovascular disease risk,  
3 including a score calculated using a pooled cohort equation;

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

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

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

14 "HEART ARTERY CALCIUM SCAN COVERAGE.--

15 A. A group health care plan, other than a small  
16 group health care plan, that is delivered, issued for  
17 delivery or renewed in this state shall provide coverage for  
18 eligible subscribers to receive a heart artery calcium scan.

19 B. Coverage provided pursuant to this section  
20 shall:

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

24 (2) be provided every five years if an  
25 eligible subscriber has previously received a heart artery



1 calcium score of zero; and

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

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

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

12 E. As used in this section:

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

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

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

23 (2) "health care provider" means a  
24 physician, physician assistant, nurse practitioner or other  
25 health care professional authorized to furnish health care

1 services within the scope of the professional's license; and

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

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

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