

LFC Requester:	Eric Chenier
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Bill Number: 2.21.25 *Check all that apply:*
HB536 Original Correction
 Amendment Substitute

Sponsor: Marianna Anaya **Agency Name and Code** New Mexico Retiree Health Care Authority 34300
Short Title: Disclosure of Health Insurance Billing Info **Person Writing** Mark Hayden
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: The Bill modifies the Health Care Purchasing Act to protect any disclosure of sensitive health care services information in billing, explanation of benefits, and summary of payments received by a covered person in the group health plan. "Sensitive health care service" means any health care service that is of a particularly sensitive and personal nature, including: (1) reproductive or sexual health care services; (2) gender-affirming health care services; (3) behavioral health care services; or (4) health care services related to treating a victim of domestic violence."

FISCAL IMPLICATIONS

HB536 aims to protect the privacy of individuals receiving particularly sensitive health care services. The New Mexico Retiree Health Care Authority (NMRHCA) and its vendors comply with federal and other state privacy laws, such as the Health Insurance Portability and Accountability Act (HIPAA), to protect members Private Healthcare Information (PHI).

The Bill prohibits health insurance billing information from disclosing these services. The fiscal impact of the legislation on NMRHCA is anticipated to be minimal. However, the Bill does not provide information regarding penalties for non-compliance

SIGNIFICANT ISSUES

Health insurers and providers may need to update their systems and processes to comply with the new requirements. The implementation time, effort, and financial resources are unknown. The changes may require updates in technology and internal processes, including audits to ensure compliance.

PERFORMANCE IMPLICATIONS

Definitions are not provided for sensitive health services, these terms may be interpreted differently.

ADMINISTRATIVE IMPLICATIONS

The need to update systems to suppress certain billing codes and processes to comply with the new privacy requirements may initially slow down operations to make required adjustments by the time the Bill goes into effect.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS