1	HOUSE BILL 398
2	57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025
3	INTRODUCED BY
4	Mark Duncan and Gail Armstrong and Rebecca Dow
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10	AN ACT
11	RELATING TO INSURANCE; AMENDING THE HEALTH MAINTENANCE
12	ORGANIZATION LAW TO MODIFY THE TIME LINE FOR EXAMINATIONS OF
13	HEALTH MAINTENANCE ORGANIZATIONS AND CONTRACT PROVIDERS.
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	SECTION 1. Section 59A-46-19 NMSA 1978 (being Laws 1993,
17	Chapter 266, Section 19) is amended to read:
18	"59A-46-19. EXAMINATIONS
19	A. The superintendent may make an examination of
20	the affairs of any health maintenance organization and
21	providers with whom [ <del>such</del> ] <u>the health maintenance</u> organization
22	has contracts, agreements or other arrangements as often as is
23	reasonably necessary for the protection of the interests of the
24	people of this state, but not less frequently than once every
25	[ <del>three</del> ] <u>five</u> years.
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Β. The superintendent may make or request the secretary of health to make an examination concerning the quality assurance program of the health maintenance organization and of any providers with whom [such] the health maintenance organization has contracts, agreements or other arrangements as often as is reasonably necessary for the protection of the interests of the people of this state.

C. Every health maintenance organization and provider shall submit its books and records for [such] 10 examinations and in every way facilitate the completion of the 11 examination. Medical records of individuals and contract 12 providers shall not be subject to [such] examination. For the purpose of examinations, the superintendent and the secretary 14 of health may administer oaths to and examine the officers and agents of the health maintenance organization and the principals of [such] the providers concerning their business.

D. The expenses of examinations under this section shall be assessed against the health maintenance organization being examined and remitted to the superintendent.

In lieu of [such] examination, the Ε. superintendent may accept the report of an examination made by the superintendent or secretary of health of another state.

Examination procedures shall be governed by the F. applicable provisions of Chapter 59A, Article 4 NMSA 1978."

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