

1 SENATE BILL 477

2 57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

3 INTRODUCED BY

4 Martin Hickey

5
6
7
8
9
10 AN ACT

11 RELATING TO INSURANCE; ELIMINATING PRIOR AUTHORIZATION OR
12 PROHIBITING STEP THERAPY REQUIREMENTS FOR PRESCRIPTION DRUGS
13 USED TO PREVENT OR TREAT CERTAIN CONDITIONS.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 59A-22B-8 NMSA 1978 (being Laws 2023,
17 Chapter 114, Section 13, as amended) is amended to read:

18 "59A-22B-8. PRIOR AUTHORIZATION FOR PRESCRIPTION DRUGS OR
19 STEP THERAPY FOR CERTAIN CONDITIONS PROHIBITED.--

20 A. Coverage for medication approved by the federal
21 food and drug administration that is prescribed for the
22 treatment or prevention of an autoimmune disorder, cancer, a
23 cholesterol disorder or a substance use disorder [~~pursuant to a~~
24 ~~medical necessity determination~~] shall not be subject to prior
25 authorization, except in cases in which a biosimilar,

.229335.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 interchangeable biologic or generic version is available.

2 B. Coverage for medication approved by the federal
3 food and drug administration in the following drug classes
4 shall not be subject to prior authorization, except in cases in
5 which a biosimilar, interchangeable biologic or generic version
6 is available:

7 (1) glucagon-like peptide-1 agonists;

8 (2) glucose-dependent insulinotropic
9 polypeptide; or

10 (3) glucagon-like peptide-1 receptor agonists.

11 [~~B.~~] C. A health insurer shall not impose step
12 therapy requirements before authorizing coverage for medication
13 approved by the federal food and drug administration that is
14 prescribed for the treatment or prevention of an autoimmune
15 disorder, cancer, a cholesterol disorder or a substance use
16 disorder, pursuant to a medical necessity determination, except
17 in cases in which a biosimilar, interchangeable biologic or
18 generic version is available.

19 D. A health insurer shall not impose step therapy
20 requirements before authorizing coverage for medication
21 approved by the federal food and drug administration in the
22 following drug classes, except in cases in which a biosimilar,
23 interchangeable biologic or generic version is available:

24 (1) glucagon-like peptide-1 agonists;

25 (2) glucose-dependent insulinotropic

.229335.1

underscoring material = new
~~[bracketed material] = delete~~

1 polypeptide; or

2 (3) glucagon-like peptide-1 receptor

3 agonists."

4 - 3 -

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

.229335.1