

1 SENATE BILL 512

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

3 INTRODUCED BY

4 Linda M. López

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10 AN ACT

11 RELATING TO INSURANCE; AMENDING THE SURPRISE BILLING PROTECTION
12 ACT TO CHANGE THE METHOD FOR CALCULATING HEALTH CARE PROVIDER
13 REIMBURSEMENT.

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

16 SECTION 1. Section 59A-57A-13 NMSA 1978 (being Laws 2019,
17 Chapter 227, Section 13) is amended to read:

18 "59A-57A-13. PROVIDERS--REIMBURSEMENT FOR A SURPRISE
19 BILL.--

20 A. For services provided pursuant to Section [~~3 or~~
21 ~~4 of the Surprise Billing Protection Act]~~ 59A-57A-3 or
22 59A-57A-4 NMSA 1978, a health insurance carrier shall directly
23 reimburse a nonparticipating provider for care rendered the
24 surprise bill reimbursement rate for services.

25 B. The surprise bill reimbursement rate [~~shall be~~
.229796.1SA

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 ~~calculated using claims data reflecting the allowed amounts~~
2 ~~paid for claims paid in the 2017 plan year]~~ related to a
3 specified service shall be determined based on claims data that
4 reflects the reimbursement amount for that service in the
5 calendar year that is two years prior to the year in which the
6 service was provided.

7 C. As used in this section, "surprise bill
8 reimbursement rate" means the sixtieth percentile of the
9 allowed commercial reimbursement rate for the particular health
10 care service performed by a provider in the same or similar
11 specialty in the same geographic area, as reported in a
12 benchmarking database [~~maintained by a nonprofit organization~~]
13 specified by the superintendent after consultation with health
14 care sector stakeholders; provided that no surprise bill
15 reimbursement rate shall be paid at less than one hundred fifty
16 percent of the [2017] approved and published medicare
17 reimbursement rate for the applicable health care service
18 provided [~~D. The nonprofit organization shall be conflict-free~~
19 ~~and unaffiliated with any stakeholder in the health care~~
20 ~~sector]~~ in the calendar year prior to the year the service was
21 provided."