

1 SENATE BILL 207

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

3 INTRODUCED BY

4 Elizabeth "Liz" Stefanics and Elizabeth "Liz" Thomson
5 and Martin Hickey and Reena Szczepanski
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10 AN ACT

11 RELATING TO INSURANCE; AMENDING THE PRIOR AUTHORIZATION ACT TO
12 ADD MORE CLASSES OF DRUGS THAT ARE NOT SUBJECT TO PRIOR
13 AUTHORIZATIONS OR STEP THERAPY PROTOCOLS.
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 on-label
22 or off-label use, for the treatment of an autoimmune disorder,
23 cancer, a rare disease or a substance use disorder, pursuant to
24 a medical necessity determination, shall not be subject to
25 prior authorization, except in cases in which a biosimilar,

.230036.1

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

1 interchangeable biologic or generic version is available.

2 B. A health insurer shall not impose step therapy
3 requirements before authorizing coverage for medication
4 approved by the federal food and drug administration that is
5 prescribed, for on-label or off-label use, for the treatment of
6 an autoimmune disorder, cancer, a rare disease or a substance
7 use disorder, pursuant to a medical necessity determination,
8 except in cases in which a biosimilar, interchangeable biologic
9 or generic version is available.

10 C. For the purposes of this section, "rare disease"
11 means a disease or medical condition that affects fewer than
12 two hundred thousand people in the United States."