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HOUSE BILL 636

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Danice Picraux

AN ACT

RELATING TO HEALTH CARE; PROVIDING FOR MIDWIFE RISK INSURANCE
COVERAGE; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Section 1. A new section of Chapter 15, Article 7 NMSA
1978 is enacted to read:

"[NEW MATERIAL] MIDWIFE RISK INSURANCE COVERAGE.--

A. Two or more midwives may create or enter into an
association, cooperative or mutual alliance to voluntarily
purchase risk insurance coverage offered pursuant to Section
15-7-3 NMSA 1978.

B. A separate account shall be maintained for an
association, cooperative or mutual alliance that voluntarily
elects to purchase risk insurance coverage pursuant to Section
15-7-3 NMSA 1978.

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1 C. As used in this section, "midwife" means a
2 licensed midwife who is licensed through the department of
3 health or a certified nurse-midwife licensed through the board
4 of nursing and the department of health."

5 Section 2. Section 15-7-2 NMSA 1978 (being Laws 1978,
6 Chapter 166, Section 7, as amended) is amended to read:

7 "15-7-2. RISK MANAGEMENT DIVISION.--

8 A. There is established a "risk management
9 division" of the general services department. The director of
10 the risk management division shall be appointed by the
11 secretary of general services. The director shall be
12 knowledgeable and experienced in general insurance practices.
13 The director shall be responsible for the acquisition and
14 administration of all insurance purchased by the state. Except
15 as provided by this section, no state agency may procure any
16 kind of insurance other than through the risk management
17 division.

18 B. The risk management division shall apportion to
19 each state agency, association, cooperative or mutual alliance
20 as referenced in Section 1 of this 2005 act its contributions
21 toward the purchase of insurance or for the providing of
22 coverage for any risk not insured. The amount of contribution
23 by each agency, association, cooperative or mutual alliance as
24 referenced in Section 1 of this 2005 act shall be determined by
25 the risk management division and shall reflect the respective

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1 risks of each agency, association, cooperative or mutual
2 alliance as referenced in Section 1 of this 2005 act. All
3 contributions toward the purchase of insurance or for the
4 coverage of any risk not insured shall be paid into the public
5 liability fund, the workers' compensation retention fund, the
6 public property reserve fund or the group self-insurance fund,
7 as appropriate. The department of finance and administration
8 may collect or transfer funds from each agency, association,
9 cooperative or mutual alliance as referenced in Section 1 of
10 this 2005 act to cover insurance or other costs, pursuant to
11 the risk management division's instructions.

12 C. The director, upon a finding that efficiency and
13 economy so require, may authorize any state agency to purchase
14 insurance for, or otherwise cover, vision, dental, any group or
15 individual health, life, accidental death and dismemberment or
16 disability coverage. Any authorization granted shall be
17 conditioned upon the prior approval by the director of any
18 policy to be purchased and the premium to be paid by the
19 agency."

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