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AN ACT

RELATING TO HEALTH INSURERS; REQUIRING INSURERS TO PROVIDE
CLAIMS EXPERIENCE INFORMATION TO EMPLOYERS.

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

Section 1. Section 59A-23-3.1 NMSA 1978 (being Laws
1985, Chapter 167, Section 1, as amended) is amended to read:

"59A-23-3.1. GROUP INSURANCE REPORTS REQUIRED.--

A. At least quarterly, upon request by the
employer, each insurer who has delivered or issued for
delivery a policy of group insurance covering twenty-six or
more employees, all or a portion of the premiums for which is
paid by the employer of the insureds, shall submit to the
employer a financial summary report by coverage of expenses
incurred by or on behalf of the employees of that employer
since the last report. The report shall include the number
and amount of monthly paid claims, monthly covered lives and
an accounting of reserves and retention costs.

B. Upon request by the employer, each insurer
shall provide to the employer claims information that
provides sufficient detail, subject to state and federal
privacy laws, to enable the employer to obtain and compare
group health insurance rates from multiple insurers or
establish a plan of self-insurance.

C. The report and claims information required by

1 this section shall be provided within thirty days from the
2 date of request."

3 Section 2. Section 59A-46-26.1 NMSA 1978 (being Laws
4 2003, Chapter 252, Section 4) is amended to read:

5 "59A-46-26.1. EMPLOYER UTILIZATION AND LOSS EXPERIENCE
6 AVAILABILITY.--Employer claims information, including
7 utilization and loss experience under health insurance
8 provided under Chapter 59A, Article 46 NMSA 1978 shall be
9 made available by the carrier only upon the written request
10 of and to employers of enrollees with such coverage within
11 thirty days of an employer's written request for such
12 information to the carrier, provided the employer's coverage
13 extends to no less than twenty-five individual enrollees,
14 regardless of whether family coverage is included. Each
15 carrier shall provide to the employer claims information that
16 provides sufficient detail, subject to state and federal
17 privacy laws, to enable the employer to obtain and compare
18 rates from multiple carriers or establish a plan of
19 self-insurance."

20 Section 3. Section 59A-47-39 NMSA 1978 (being Laws
21 2003, Chapter 252, Section 5) is amended to read:

22 "59A-47-39. EMPLOYER UTILIZATION AND LOSS EXPERIENCE
23 AVAILABILITY.--Employer claims information, including
24 utilization and loss experience under health insurance
25 provided under Chapter 59A, Article 47 NMSA 1978 shall be made

1 available by the carrier only upon the written request of and
2 to employers of subscribers with such coverage within thirty
3 days of an employer's written request to the carrier for such
4 information, provided the employer's coverage extends to no
5 less than twenty-five individual subscribers, regardless of
6 whether family coverage is included. Each carrier shall
7 provide to the employer claims information that provides
8 sufficient detail, subject to state and federal privacy laws,
9 to enable the employer to obtain and compare rates from
10 multiple carriers or establish a plan of self-insurance."

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