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AN ACT
RELATING TO INSURANCE; REQUIRING INSURANCE COVERAGE FOR
GENERAL ANESTHESIA AND HOSPITALIZATION FOR DENTAL SURGERY.

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

Section 1. A new section of the Health Care Purchasing
Act is enacted to read:

"GENERAL ANESTHESIA AND HOSPITALIZATION FOR DENTAL
SURGERY.--

A. Group health care coverage, including any form
of self-insurance, offered, issued or renewed under the
Health Care Purchasing Act shall provide coverage for
hospitalization and general anesthesia provided in a hospital
or ambulatory surgical center for dental surgery for the
following:

(1) insureds exhibiting physical,
intellectual or medically compromising conditions for which
dental treatment under local anesthesia, with or without
additional adjunctive techniques and modalities, cannot be
expected to provide a successful result and for which dental
treatment under general anesthesia can be expected to produce
superior results;

(2) insureds for whom local anesthesia is
ineffective because of acute infection, anatomic variation or
allergy;

1 (3) insured children or adolescents who are
2 extremely uncooperative, fearful, anxious or uncommunicative
3 with dental needs of such magnitude that treatment should not
4 be postponed or deferred and for whom lack of treatment can
5 be expected to result in dental or oral pain or infection,
6 loss of teeth or other increased oral or dental morbidity;

7 (4) insureds with extensive oral-facial or
8 dental trauma for which treatment under local anesthesia
9 would be ineffective or compromised; or

10 (5) other procedures for which
11 hospitalization or general anesthesia in a hospital or
12 ambulatory surgical center is medically necessary.

13 B. The provisions of this section do not apply to
14 short-term travel, accident-only or limited or specified
15 disease policies.

16 C. Coverage for dental surgery may be subject to
17 copayments, deductibles and coinsurance subject to network
18 and prior authorization requirements consistent with those
19 imposed on other benefits under the same group health care
20 coverage, including any form of self-insurance."

21 Section 2. A new section of Chapter 59A, Article 22
22 NMSA 1978 is enacted to read:

23 "GENERAL ANESTHESIA AND HOSPITALIZATION FOR DENTAL
24 SURGERY.--

25 A. An individual or group health insurance policy, SCORC/SB 776
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1 health care plan or certificate of health insurance that is
2 delivered, issued for delivery or renewed in this state shall
3 provide coverage for hospitalization and general anesthesia
4 provided in a hospital or ambulatory surgical center for
5 dental surgery for the following:

6 (1) insureds exhibiting physical,
7 intellectual or medically compromising conditions for which
8 dental treatment under local anesthesia, with or without
9 additional adjunctive techniques and modalities, cannot be
10 expected to provide a successful result and for which dental
11 treatment under general anesthesia can be expected to produce
12 superior results;

13 (2) insureds for whom local anesthesia is
14 ineffective because of acute infection, anatomic variation or
15 allergy;

16 (3) insured children or adolescents who are
17 extremely uncooperative, fearful, anxious or uncommunicative
18 with dental needs of such magnitude that treatment should not
19 be postponed or deferred and for whom lack of treatment can
20 be expected to result in dental or oral pain or infection,
21 loss of teeth or other increased oral or dental morbidity;

22 (4) insureds with extensive oral-facial or
23 dental trauma for which treatment under local anesthesia
24 would be ineffective or compromised; or

25 (5) other procedures for which

1 hospitalization or general anesthesia in a hospital or
2 ambulatory surgical center is medically necessary.

3 B. The provisions of this section do not apply to
4 short-term travel, accident-only or limited or specified
5 disease policies.

6 C. Coverage for dental surgery may be subject to
7 copayments, deductibles and coinsurance subject to network
8 and prior authorization requirements consistent with those
9 imposed on other benefits under the same policy, plan or
10 certificate."

11 Section 3. A new section of Chapter 59A, Article 23
12 NMSA 1978 is enacted to read:

13 "GENERAL ANESTHESIA AND HOSPITALIZATION FOR DENTAL
14 SURGERY.--

15 A. A blanket or group health insurance policy,
16 health care plan or certificate of health insurance that is
17 delivered, issued for delivery or renewed in this state shall
18 provide coverage for hospitalization and general anesthesia
19 provided in a hospital or ambulatory surgical center for
20 dental surgery for the following:

21 (1) insureds exhibiting physical,
22 intellectual or medically compromising conditions for which
23 dental treatment under local anesthesia, with or without
24 additional adjunctive techniques and modalities, cannot be
25 expected to provide a successful result and for which dental

1 treatment under general anesthesia can be expected to produce
2 superior results;

3 (2) insureds for whom local anesthesia is
4 ineffective because of acute infection, anatomic variation or
5 allergy;

6 (3) insured children or adolescents who are
7 extremely uncooperative, fearful, anxious or uncommunicative
8 with dental needs of such magnitude that treatment should not
9 be postponed or deferred and for whom lack of treatment can
10 be expected to result in dental or oral pain or infection,
11 loss of teeth or other increased oral or dental morbidity;

12 (4) insureds with extensive oral-facial or
13 dental trauma for which treatment under local anesthesia
14 would be ineffective or compromised; or

15 (5) other procedures for which
16 hospitalization or general anesthesia in a hospital or
17 ambulatory surgical center is medically necessary.

18 B. The provisions of this section do not apply to
19 short-term travel, accident-only or limited or specified
20 disease policies.

21 C. Coverage for dental surgery may be subject to
22 copayments, deductibles and coinsurance subject to network
23 and prior authorization requirements consistent with those
24 imposed on other benefits under the same policy, plan or
25 certificate."

1 Section 4. A new section of Chapter 59A, Article 46
2 NMSA 1978 is enacted to read:

3 "GENERAL ANESTHESIA AND HOSPITALIZATION FOR DENTAL
4 SURGERY.--

5 A. An individual or group health maintenance
6 organization contract delivered, issued for delivery or
7 renewed in this state shall provide coverage for
8 hospitalization and general anesthesia provided in a hospital
9 or ambulatory surgical center for dental surgery for the
10 following:

11 (1) insureds exhibiting physical,
12 intellectual or medically compromising conditions for which
13 dental treatment under local anesthesia, with or without
14 additional adjunctive techniques and modalities, cannot be
15 expected to provide a successful result and for which dental
16 treatment under general anesthesia can be expected to produce
17 superior results;

18 (2) insureds for whom local anesthesia is
19 ineffective because of acute infection, anatomic variation or
20 allergy;

21 (3) insured children or adolescents who are
22 extremely uncooperative, fearful, anxious or uncommunicative
23 with dental needs of such magnitude that treatment should not
24 be postponed or deferred and for whom lack of treatment can
25 be expected to result in dental or oral pain or infection,

1 loss of teeth or other increased oral or dental morbidity;

2 (4) insureds with extensive oral-facial or
3 dental trauma for which treatment under local anesthesia
4 would be ineffective or compromised; or

5 (5) other procedures for which
6 hospitalization or general anesthesia in a hospital or
7 ambulatory surgical center is medically necessary.

8 B. The provisions of this section do not apply to
9 short-term travel, accident-only or limited or specified
10 disease policies.

11 C. Coverage for dental surgery may be subject to
12 copayments, deductibles and coinsurance subject to network
13 and prior authorization requirements consistent with those
14 imposed on other benefits under the same policy, plan or
15 certificate."

16 Section 5. A new section of Chapter 59A, Article 47
17 NMSA 1978 is enacted to read:

18 "GENERAL ANESTHESIA AND HOSPITALIZATION FOR DENTAL
19 SURGERY.--

20 A. An individual or group health insurance policy,
21 health care plan or certificate of health insurance delivered
22 or issued for delivery in this state shall provide coverage
23 for hospitalization and general anesthesia provided in a
24 hospital or ambulatory surgical center for dental surgery for
25 the following:

1 (1) insureds exhibiting physical,
2 intellectual or medically compromising conditions for which
3 dental treatment under local anesthesia, with or without
4 additional adjunctive techniques and modalities, cannot be
5 expected to provide a successful result and for which dental
6 treatment under general anesthesia can be expected to produce
7 superior results;

8 (2) insureds for whom local anesthesia is
9 ineffective because of acute infection, anatomic variation or
10 allergy;

11 (3) insured children or adolescents who are
12 extremely uncooperative, fearful, anxious or uncommunicative
13 with dental needs of such magnitude that treatment should not
14 be postponed or deferred and for whom lack of treatment can
15 be expected to result in dental or oral pain or infection,
16 loss of teeth or other increased oral or dental morbidity;

17 (4) insureds with extensive oral-facial or
18 dental trauma for which treatment under local anesthesia
19 would be ineffective or compromised; or

20 (5) other procedures for which
21 hospitalization or general anesthesia in a hospital or
22 ambulatory surgical center is medically necessary.

23 B. The provisions of this section do not apply to
24 short-term travel, accident-only or limited or specified
25 disease policies.

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C. Coverage for dental surgery may be subject to copayments, deductibles and coinsurance subject to network and prior authorization requirements consistent with those imposed on other benefits under the same policy, plan or certificate."

Section 6. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2007. _____