

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 239

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Keith J. Gardner

AN ACT

RELATING TO HEALTH INSURANCE; REQUIRING THAT HEALTH COVERAGE
OPTIONS FOR CERTAIN STATE AND LOCAL PUBLIC EMPLOYEES AND THEIR
COVERED DEPENDENTS INCLUDE COVERAGE PURSUANT TO THE MEDICAL
CARE SAVINGS ACCOUNT ACT; REQUIRING THAT HEALTH COVERAGE
OPTIONS FOR INDIVIDUALS INSURED BY THE PUBLIC SCHOOL INSURANCE
AUTHORITY AND THEIR COVERED DEPENDENTS INCLUDE COVERAGE
PURSUANT TO THE MEDICAL CARE SAVINGS ACCOUNT ACT; MAKING
APPROPRIATIONS.

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

Section 1. A new section of the Group Benefits Act is
enacted to read:

"[NEW MATERIAL] HEALTH COVERAGE REQUIREMENT--MEDICAL CARE
SAVINGS ACCOUNT.--

A. Beginning with the open enrollment period for

.175006.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 the 2010 plan year, the risk management division of the general
2 services department shall offer to employees and their covered
3 dependents the option of receiving health care coverage through
4 a high-deductible plan in conjunction with a medical care
5 savings account pursuant to the provisions of the Medical Care
6 Savings Account Act. The employee or covered dependent shall
7 present evidence, in a manner that the risk management division
8 has prescribed in rules established pursuant to Subsection B of
9 this section, that the employee or covered dependent has
10 established a medical care savings account in compliance with
11 the Medical Care Savings Account Act and any rules that the
12 risk management division has promulgated pursuant to that act.

13 B. The risk management division of the general
14 services department shall promulgate rules for the
15 administration and implementation of this section.

16 C. As used in this section, "covered dependent"
17 means an individual who is eligible for coverage pursuant to
18 the provisions of the Group Benefits Act on the basis of the
19 individual's relationship to an employee."

20 Section 2. A new section of the Public School Insurance
21 Authority Act is enacted to read:

22 "[NEW MATERIAL] HEALTH COVERAGE OPTION REQUIREMENT--
23 MEDICAL CARE SAVINGS ACCOUNT.--

24 A. Beginning with the open enrollment period for
25 the 2010 plan year, the authority shall offer to all

.175006.1

underscoring material = new
[bracketed material] = delete

1 subscribers and their covered dependents the option of
2 receiving health coverage through a high-deductible plan in
3 conjunction with a medical care savings account pursuant to the
4 provisions of the Medical Care Savings Account Act. A
5 subscriber or covered dependent who wishes to opt for coverage
6 pursuant to the Medical Care Savings Account Act shall present
7 evidence, in a manner that the authority has prescribed in
8 rules promulgated pursuant to Subsection B of this section,
9 that the subscriber has established a medical care savings
10 account in compliance with the Medical Care Savings Account Act
11 and any regulations that the insurance division of the public
12 regulation commission has promulgated pursuant to that act.

13 B. The authority shall promulgate rules for the
14 administration and implementation of this section.

15 C. As used in this section:

16 (1) "covered dependent" means an individual
17 who is eligible for health coverage offered by the authority
18 due to the individual's relationship to a subscriber; and

19 (2) "subscriber" means a public school
20 employee, school board member, school board retiree or public
21 school retiree participating in group health insurance offered
22 by the authority."

23 Section 3. APPROPRIATION.--One million dollars
24 (\$1,000,000) is appropriated from the general fund to the
25 general services department for expenditure in fiscal year 2010

.175006.1

underscoring material = new
[bracketed material] = delete

1 for the risk management division to develop and implement
2 health coverage options as provided in Section 1 of this act.
3 Any unexpended or unencumbered balance remaining at the end of
4 fiscal year 2010 shall revert to the general fund.

5 Section 4. APPROPRIATION.--One million dollars
6 (\$1,000,000) is appropriated from the general fund to the
7 public education department for expenditure in fiscal year 2010
8 for the public school insurance authority to develop and
9 implement health coverage options as provided in Section 2 of
10 this act. Any unexpended or unencumbered balance remaining at
11 the end of fiscal year 2010 shall revert to the general fund.