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HOUSE BILL 17

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Bill McCamley

AN ACT

RELATING TO HEALTH COVERAGE; ENACTING NEW SECTIONS OF THE HEALTH CARE PURCHASING ACT, THE NEW MEXICO INSURANCE CODE, THE HEALTH MAINTENANCE ORGANIZATION LAW AND THE NONPROFIT HEALTH CARE PLAN LAW TO ESTABLISH HEALTH CARE COVERAGE IDENTIFICATION CARD REQUIREMENTS.

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:

"[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY ISSUANCE AND RENEWAL--RULEMAKING.--

A. A group health plan offering coverage pursuant to this section shall issue an identification card to the primary insured. The group health plan may also issue identification cards to individuals covered under the primary

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1 insured's coverage. The identification card shall contain the
2 following information in a readily identifiable format on the
3 face of the card and via electronic coding associated with the
4 card:

- 5 (1) the name of the insured;
- 6 (2) the identification number of the insured;
- 7 (3) the group health plan or contract number;

8 and

- 9 (4) a telephone number or electronic address
10 at which authorization or admission certification may be
11 obtained, if authorization or admission certification is
12 required.

13 B. A group health plan shall provide each primary
14 insured a new identification card issued pursuant to this
15 section according to the following schedule:

- 16 (1) within thirty days of a group health
17 plan's effective date;
- 18 (2) within thirty days of the date that the
19 group health plan receives the enrollment information of the
20 primary insured, after the primary insured initially becomes
21 eligible for coverage under an existing group health plan; and
- 22 (3) no later than thirty days after the group
23 health plan receives notice of a change in any information that
24 an identification card is required to contain pursuant to
25 Subsection A of this section.

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1 C. A group health plan that has provided an
2 identification card to a primary insured before January 1, 2016
3 shall replace that card upon renewal of the group health plan
4 with an identification card that complies with the provisions
5 of this section.

6 D. By July 1, 2015, the secretary of general
7 services shall consult with and consider the recommendations of
8 the superintendent of insurance and adopt and promulgate rules
9 to establish machine readability standards for identification
10 cards issued pursuant to this section. In adopting these
11 rules, the secretary shall consider the following factors:

12 (1) state and national industry standards for
13 machine readability of identification cards;

14 (2) the cost associated with issuing machine-
15 readable identification cards;

16 (3) the feasibility of issuing machine-
17 readable identification cards; and

18 (4) the projected utilization of the machine-
19 readable portions of identification cards.

20 E. The provisions of this section shall not apply
21 to group health coverage intended to supplement major medical
22 group-type coverage such as medicare supplement, long-term
23 care, disability income, specified disease, accident-only,
24 hospital indemnity or any other limited-benefit health
25 insurance policy.

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1 F. As used in this section:

2 (1) "identification card" means a card on
3 which the group health plan information that is required
4 pursuant to this section is printed; provided that the
5 secretary of general services may adopt and promulgate rules as
6 technology develops to establish an "identification card" as a
7 block of information that conforms to the requirements of this
8 section to be provided in a medium that the secretary deems
9 optimal for providing this information; and

10 (2) "primary care provider" means a health
11 care practitioner acting within the scope of the health care
12 practitioner's license who provides the first level of basic or
13 general health care for a person's health needs, including
14 diagnostic and treatment services, initiates referrals to other
15 health care practitioners and maintains the continuity of care
16 when appropriate."

17 SECTION 2. A new section of Chapter 59A, Article 22 NMSA
18 1978 is enacted to read:

19 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
20 ISSUANCE AND RENEWAL--RULEMAKING.--

21 A. An insurer that delivers, issues for delivery or
22 renews an individual health insurance policy, health care plan
23 or certificate of health insurance in this state shall issue an
24 identification card to the primary insured. The insurer may
25 also issue identification cards to individuals covered under

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1 the primary insured's coverage. The identification card shall
2 contain the following information in a readily identifiable
3 format on the face of the card and via electronic coding
4 associated with the card:

5 (1) the name of the insurer issuing the health
6 insurance policy, health care plan or certificate of health
7 insurance;

8 (2) the name of the insured;

9 (3) the insured's identification number;

10 (4) the policy, plan or certificate number;

11 and

12 (5) a telephone number or electronic address
13 at which authorization or admission certification may be
14 obtained, if authorization or admission certification is
15 required.

16 B. An insurer shall provide each primary insured a
17 new identification card issued pursuant to this section
18 according to the following schedule:

19 (1) within thirty days of a health insurance
20 policy's, health care plan's or certificate of health
21 insurance's effective date;

22 (2) within thirty days of the date that the
23 insurer receives the enrollment information of the primary
24 insured, after the primary insured initially becomes eligible
25 for coverage under an existing health insurance policy, health

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1 care plan or certificate of health insurance; and

2 (3) no later than thirty days after the
3 insurer receives notice of a change in any information that an
4 identification card is required to contain pursuant to
5 Subsection A of this section.

6 C. An individual health insurance policy, health
7 care plan or certificate of health insurance that has provided
8 an identification card to a primary insured before January 1,
9 2016 shall replace that card upon renewal of the policy, plan
10 or certificate with an identification card that complies with
11 the provisions of this section.

12 D. Each insurer of an individual health insurance
13 policy, health care plan or certificate of health insurance in
14 the state shall make an informational filing of the
15 identification card form with the superintendent. The filing
16 shall contain the form of the identification card with all
17 information required pursuant to this section. All variants of
18 the form shall be identified.

19 E. By July 1, 2015, the superintendent shall adopt
20 and promulgate rules to establish machine readability standards
21 for identification cards issued pursuant to this section. In
22 adopting these rules, the superintendent shall consider the
23 following factors:

24 (1) state and national industry standards for
25 machine readability of identification cards;

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1 (2) the cost associated with issuing machine-
2 readable identification cards;

3 (3) the feasibility of issuing machine-
4 readable identification cards; and

5 (4) the projected utilization of the machine-
6 readable portions of identification cards.

7 F. The provisions of this section shall not apply
8 to individual health insurance policies, plans or certificates
9 intended to supplement major medical group-type coverage such
10 as medicare supplement, long-term care, disability income,
11 specified disease, accident-only, hospital indemnity or any
12 other limited-benefit health insurance policy, plan or
13 certificate.

14 G. As used in this section:

15 (1) "identification card" means a card on
16 which the information regarding a health insurance policy, plan
17 or certificate that is required pursuant to this section is
18 printed; provided that the superintendent may adopt and
19 promulgate rules as technology develops to establish an
20 "identification card" as a block of information that conforms
21 to the requirements of this section to be provided in a medium
22 that the superintendent deems optimal for providing this
23 information; and

24 (2) "primary care provider" means a health
25 care practitioner acting within the scope of the health care

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1 practitioner's license who provides the first level of basic or
2 general health care for a person's health needs, including
3 diagnostic and treatment services, initiates referrals to other
4 health care practitioners and maintains the continuity of care
5 when appropriate."

6 SECTION 3. A new section of Chapter 59A, Article 23 NMSA
7 1978 is enacted to read:

8 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
9 ISSUANCE AND RENEWAL--RULEMAKING.--

10 A. An insurer that delivers, issues for delivery or
11 renews a group or blanket health insurance policy, health care
12 plan or certificate of health insurance in this state shall
13 issue an identification card to the primary insured. The
14 insurer may also issue identification cards to individuals
15 covered under the primary insured's coverage. The
16 identification card shall contain the following information in
17 a readily identifiable format on the face of the card and via
18 electronic coding associated with the card:

19 (1) the name of the insurer issuing the health
20 insurance policy, health care plan or certificate of health
21 insurance;

22 (2) the name of the insured;

23 (3) the identification number of the insured;

24 (4) the group or blanket number, if

25 applicable;

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1 (5) the policy, plan or certificate number, if
2 applicable; and

3 (6) a telephone number or electronic address
4 at which authorization or admission certification may be
5 obtained, if authorization or admission certification is
6 required.

7 B. An insurer shall provide each primary insured a
8 new identification card issued pursuant to this section
9 according to the following schedule:

10 (1) within thirty days of a health insurance
11 policy, health care plan or certificate of health insurance
12 becoming effective;

13 (2) within thirty days of the date that the
14 insurer receives the enrollment information of the primary
15 insured, after the primary insured initially becomes eligible
16 for coverage under an existing health insurance policy, health
17 care plan or certificate of health insurance; and

18 (3) no later than thirty days after the
19 insurer receives notice of a change in any information that an
20 identification card is required to contain pursuant to
21 Subsection A of this section.

22 C. An insurer that has provided an identification
23 card to a primary insured before January 1, 2016 shall replace
24 that card upon renewal of the policy, plan or certificate with
25 an identification card that complies with the provisions of

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1 this section.

2 D. Each insurer of a group or blanket health
3 insurance policy, health care plan or certificate of health
4 insurance in the state shall make an informational filing of
5 the identification card form with the superintendent. The
6 filing shall contain the form of the identification card with
7 all information required pursuant to this section. All
8 variants of the form shall be identified.

9 E. By July 1, 2015, the superintendent shall adopt
10 and promulgate rules to establish machine readability standards
11 for identification cards issued pursuant to this section. In
12 adopting these rules, the superintendent shall consider the
13 following factors:

14 (1) state and national industry standards for
15 machine readability of identification cards;

16 (2) the cost associated with issuing machine-
17 readable identification cards;

18 (3) the feasibility of issuing machine-
19 readable identification cards; and

20 (4) the projected utilization of the machine-
21 readable portions of identification cards.

22 F. The provisions of this section shall not apply
23 to a group or blanket policy, plan or contract intended to
24 supplement major medical coverage such as medicare supplement,
25 long-term care, disability income, specified disease, accident-

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1 only, hospital indemnity or any other limited-benefit health
2 insurance policy.

3 G. As used in this section:

4 (1) "identification card" means a card on
5 which the information regarding a health insurance policy, plan
6 or certificate that is required pursuant to this section is
7 printed; provided that the superintendent may adopt and
8 promulgate rules as technology develops to establish an
9 "identification card" as a block of information that conforms
10 to the requirements of this section to be provided in a medium
11 that the superintendent deems optimal for providing this
12 information; and

13 (2) "primary care provider" means a health
14 care practitioner acting within the scope of the health care
15 practitioner's license who provides the first level of basic or
16 general health care for a person's health needs, including
17 diagnostic and treatment services, initiates referrals to other
18 health care practitioners and maintains the continuity of care
19 when appropriate."

20 SECTION 4. A new section of the Health Maintenance
21 Organization Law is enacted to read:

22 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
23 ISSUANCE AND RENEWAL--RULEMAKING.--

24 A. A carrier that delivers, issues for delivery or
25 renews an individual or group health maintenance organization

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1 contract in this state shall issue an identification card to
2 the primary enrollee. The carrier may also issue
3 identification cards to individuals covered under the primary
4 enrollee's coverage. The identification card shall contain the
5 following information in a readily identifiable format on the
6 face of the card and via electronic coding associated with the
7 card:

8 (1) the name of the carrier issuing the health
9 maintenance organization contract;

10 (2) the name of the enrollee;

11 (3) the identification number of the enrollee;

12 (4) the contract number, if applicable;

13 (5) the group number, if applicable; and

14 (6) a telephone number or electronic address

15 at which authorization or admission certification may be

16 obtained, if authorization or admission certification is

17 required.

18 B. A carrier shall provide each primary enrollee a
19 new identification card issued pursuant to this section
20 according to the following schedule:

21 (1) within thirty days of a health maintenance
22 organization contract's effective date;

23 (2) within thirty days of the date that the
24 carrier receives the enrollment information of the primary
25 enrollee, after the primary enrollee initially becomes eligible

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1 for coverage under an existing health maintenance organization
2 contract; and

3 (3) no later than thirty days after the
4 carrier receives notice of a change in any information that an
5 identification card is required to contain pursuant to
6 Subsection A of this section.

7 C. A carrier that has provided an identification
8 card to a primary enrollee before January 1, 2016 shall replace
9 that card upon renewal of the health maintenance organization
10 contract with an identification card that complies with the
11 provisions of this section.

12 D. Each carrier issuing an identification card
13 pursuant to this section shall make an informational filing of
14 the identification card form with the superintendent. The
15 filing shall contain the form of the identification card with
16 all information required pursuant to this section. All
17 variants of the form shall be identified.

18 E. By July 1, 2015, the superintendent shall adopt
19 and promulgate rules to establish machine readability standards
20 for identification cards issued pursuant to this section. In
21 adopting these rules, the superintendent shall consider the
22 following factors:

23 (1) state and national industry standards for
24 machine readability of identification cards;

25 (2) the cost associated with issuing machine-

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1 readable identification cards;

2 (3) the feasibility of issuing machine-
3 readable identification cards; and

4 (4) the projected utilization of the machine-
5 readable portions of identification cards.

6 F. The provisions of this section shall not apply
7 to an individual or group health maintenance organization
8 contract intended to supplement major medical coverage such as
9 medicare supplement, long-term care, disability income,
10 specified disease, accident-only, hospital indemnity or any
11 other limited-benefit health insurance contract.

12 G. As used in this section:

13 (1) "identification card" means a card on
14 which the information regarding a health maintenance
15 organization contract that is required pursuant to this section
16 is printed; provided that the superintendent may adopt and
17 promulgate rules as technology develops to establish an
18 "identification card" as a block of information that conforms
19 to the requirements of this section to be provided in a medium
20 that the superintendent deems optimal for providing this
21 information; and

22 (2) "primary care provider" means a health
23 care practitioner acting within the scope of the health care
24 practitioner's license who provides the first level of basic or
25 general health care for a person's health needs, including

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1 diagnostic and treatment services, initiates referrals to other
2 health care practitioners and maintains the continuity of care
3 when appropriate."

4 SECTION 5. A new section of the Nonprofit Health Care
5 Plan Law is enacted to read:

6 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
7 ISSUANCE AND RENEWAL--RULEMAKING.--

8 A. An individual or group health care plan shall
9 issue an identification card to the primary subscriber. The
10 health care plan may also issue identification cards to
11 individuals covered under the primary subscriber's coverage.
12 The identification card shall contain the following information
13 in a readily identifiable format on the face of the card and
14 via electronic coding associated with the card:

15 (1) the name of the issuer of the health care
16 plan;

17 (2) the name of the subscriber;

18 (3) the identification number of the
19 subscriber;

20 (4) the health care plan or contract number,
21 if applicable;

22 (5) the group number, if applicable; and

23 (6) a telephone number or electronic address
24 at which authorization or admission certification may be
25 obtained, if authorization or admission certification is

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1 required.

2 B. A health care plan shall provide each primary
3 subscriber a new identification card issued pursuant to this
4 section according to the following schedule:

5 (1) within thirty days of a health care plan's
6 effective date;

7 (2) within thirty days of the date that the
8 health care plan receives the enrollment information of the
9 primary subscriber, after the primary subscriber initially
10 becomes eligible for coverage under an existing health care
11 plan; and

12 (3) no later than thirty days after the health
13 care plan receives notice of a change in any information that
14 an identification card is required to contain pursuant to
15 Subsection A of this section.

16 C. A health care plan that has provided an
17 identification card to a primary subscriber before January 1,
18 2016 shall replace that card upon renewal of the health care
19 plan with an identification card that complies with the
20 provisions of this section.

21 D. Each health care plan issuing an identification
22 card pursuant to this section shall make an informational
23 filing of the identification card form with the superintendent.
24 The filing shall contain the form of the identification card
25 with all information required pursuant to this section. All

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1 variants of the form shall be identified.

2 E. By July 1, 2015, the superintendent shall adopt
3 and promulgate rules to establish machine readability standards
4 for identification cards issued pursuant to this section. In
5 adopting these rules, the superintendent shall consider the
6 following factors:

7 (1) state and national industry standards for
8 machine readability of identification cards;

9 (2) the cost associated with issuing machine-
10 readable identification cards;

11 (3) the feasibility of issuing machine-
12 readable identification cards; and

13 (4) the projected utilization of the machine-
14 readable portions of identification cards.

15 F. The provisions of this section shall not apply
16 to an individual or group health care plan intended to
17 supplement major medical coverage such as medicare supplement,
18 long-term care, disability income, specified disease,
19 accident-only, hospital indemnity or any other limited-benefit
20 health insurance health care plan.

21 G. As used in this section:

22 (1) "identification card" means a card on
23 which the information regarding a health care plan that is
24 required pursuant to this section is printed; provided that the
25 superintendent may adopt and promulgate rules as technology

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1 develops to establish an "identification card" as a block of
2 information that conforms to the requirements of this section
3 to be provided in a medium that the superintendent deems
4 optimal for providing this information; and

5 (2) "primary care provider" means a health
6 care practitioner acting within the scope of the health care
7 practitioner's license who provides the first level of basic or
8 general health care for a person's health needs, including
9 diagnostic and treatment services, initiates referrals to other
10 health care practitioners and maintains the continuity of care
11 when appropriate."

12 SECTION 6. EFFECTIVE DATE.--The effective date of the
13 provisions of this act is January 1, 2016.