

1 HOUSE BILL 126

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

3 INTRODUCED BY

4 Christine Trujillo

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10 AN ACT

11 RELATING TO HEALTH COVERAGE; ENACTING SECTIONS OF THE HEALTH
12 CARE PURCHASING ACT, THE PUBLIC ASSISTANCE ACT, THE NEW MEXICO
13 INSURANCE CODE, THE HEALTH MAINTENANCE ORGANIZATION LAW AND THE
14 NONPROFIT HEALTH CARE PLAN LAW TO REQUIRE COVERAGE OF A HEART
15 ARTERY CALCIUM SCAN FOR CERTAIN INDIVIDUALS.

16
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

20 "[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

21 A. Group health coverage, including any form of
22 self-insurance, offered, issued or renewed under the Health
23 Care Purchasing Act shall provide coverage for eligible
24 insureds to receive a heart artery calcium scan.

25 B. Coverage provided pursuant to this section

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1 shall:

2 (1) be limited to the provision of a heart
3 artery calcium scan to an eligible insured to be used as a
4 clinical management tool;

5 (2) be provided every five years if an
6 eligible insured has previously received a heart artery calcium
7 score of zero; and

8 (3) not be required for future heart artery
9 calcium scans if an eligible insured receives a heart artery
10 calcium score greater than zero.

11 C. At its discretion or as required by law, an
12 insurer may offer or refuse coverage for further cardiac
13 testing or procedures for eligible insureds based upon the
14 results of a heart artery calcium scan.

15 D. The provisions of this section shall not apply
16 to short-term travel, accident-only or limited or specified-
17 disease policies, plans or certificates of health insurance.

18 E. As used in this section:

19 (1) "eligible insured" means an insured who:

20 (a) is a person between the ages of
21 forty-five and sixty-five; and

22 (b) has an intermediate risk of
23 developing coronary heart disease as determined by a health
24 care provider based upon a score calculated from an evidence-
25 based algorithm widely used in the medical community to assess

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1 a person's ten-year cardiovascular disease risk, including a
2 score calculated using a pooled cohort equation;

3 (2) "health care provider" means a physician,
4 physician assistant, nurse practitioner or other health care
5 professional authorized to furnish health care services within
6 the scope of the professional's license; and

7 (3) "heart artery calcium scan" means a
8 computed tomography scan measuring coronary artery calcium for
9 atherosclerosis and abnormal artery structure and function."

10 SECTION 2. A new section of the Public Assistance Act is
11 enacted to read:

12 "[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

13 A. In accordance with federal law, the secretary
14 shall adopt and promulgate rules that provide medical
15 assistance coverage for eligible enrollees to receive a heart
16 artery calcium scan.

17 B. Medical assistance coverage provided pursuant to
18 this section shall:

19 (1) be limited to the provision of a heart
20 artery calcium scan to an eligible enrollee to be used as a
21 clinical management tool;

22 (2) be provided every five years if an
23 eligible enrollee has previously received a heart artery
24 calcium score of zero; and

25 (3) not be required for future heart artery

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1 calcium scans if an eligible enrollee receives a heart artery
2 calcium score greater than zero.

3 C. At its discretion or as required by law, a
4 managed care organization providing medical assistance may
5 offer or refuse coverage for further cardiac testing or
6 procedures for eligible enrollees based upon the results of a
7 heart artery calcium scan.

8 D. The provisions of this section shall not apply
9 to short-term travel, accident-only or limited or specified-
10 disease policies, plans or certificates of health insurance.

11 E. As used in this section:

12 (1) "eligible enrollee" means an enrollee who:

13 (a) is a person between the ages of
14 forty-five and sixty-five; and

15 (b) has an intermediate risk of
16 developing coronary heart disease as determined by a health
17 care provider based upon a score calculated from an evidence-
18 based algorithm widely used in the medical community to assess
19 a person's ten-year cardiovascular disease risk, including a
20 score calculated using a pooled cohort equation;

21 (2) "health care provider" means a physician,
22 physician assistant, nurse practitioner or other health care
23 professional authorized to furnish health care services within
24 the scope of the professional's license; and

25 (3) "heart artery calcium scan" means a

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1 computed tomography scan measuring coronary artery calcium for
2 atherosclerosis and abnormal artery structure and function."

3 SECTION 3. A new section of Chapter 59A, Article 22 NMSA
4 1978 is enacted to read:

5 "[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

6 A. An individual or group health insurance policy,
7 health care plan or certificate of health insurance delivered,
8 issued for delivery or renewed in this state shall provide
9 coverage for eligible insureds to receive a heart artery
10 calcium scan.

11 B. Coverage provided pursuant to this section
12 shall:

13 (1) be limited to the provision of a heart
14 artery calcium scan to an eligible insured to be used as a
15 clinical management tool;

16 (2) be provided every five years if an
17 eligible insured has previously received a heart artery calcium
18 score of zero; and

19 (3) not be required for future heart artery
20 calcium scans if an eligible insured receives a heart artery
21 calcium score greater than zero.

22 C. At its discretion or as required by law, an
23 insurer may offer or refuse coverage for further cardiac
24 testing or procedures for eligible insureds based upon the
25 results of a heart artery calcium scan.

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1 D. The provisions of this section do not apply to
2 short-term travel, accident-only or limited or specified-
3 disease policies, plans or certificates of health insurance.

4 E. As used in this section:

5 (1) "eligible insured" means an insured who:

6 (a) is a person between the ages of
7 forty-five and sixty-five; and

8 (b) has an intermediate risk of
9 developing coronary heart disease as determined by a health
10 care provider based upon a score calculated from an evidence-
11 based algorithm widely used in the medical community to assess
12 a person's ten-year cardiovascular disease risk, including a
13 score calculated using a pooled cohort equation;

14 (2) "health care provider" means a physician,
15 physician assistant, nurse practitioner or other health care
16 professional authorized to furnish health care services within
17 the scope of the professional's license; and

18 (3) "heart artery calcium scan" means a
19 computed tomography scan measuring coronary artery calcium for
20 atherosclerosis and abnormal artery structure and function."

21 SECTION 4. A new section of Chapter 59A, Article 23 NMSA
22 1978 is enacted to read:

23 "[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

24 A. A group or blanket health insurance policy or
25 contract that is delivered, issued for delivery or renewed in

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1 this state shall provide coverage for eligible insureds to
2 receive a heart artery calcium scan.

3 B. Coverage provided pursuant to this section
4 shall:

5 (1) be limited to the provision of a heart
6 artery calcium scan to an eligible insured to be used as a
7 clinical management tool;

8 (2) be provided every five years if an
9 eligible insured has previously received a heart artery calcium
10 score of zero; and

11 (3) not be required for future heart artery
12 calcium scans if an eligible insured receives a heart artery
13 calcium score greater than zero.

14 C. At its discretion or as required by law, an
15 insurer may offer or refuse coverage for further cardiac
16 testing or procedures for eligible insureds based upon the
17 results of a heart artery calcium scan.

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

21 E. As used in this section:

22 (1) "eligible insured" means an insured who:

23 (a) is a person between the ages of
24 forty-five and sixty-five; and

25 (b) has an intermediate risk of

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1 developing coronary heart disease as determined by a health
2 care provider based upon a score calculated from an evidence-
3 based algorithm widely used in the medical community to assess
4 a person's ten-year cardiovascular disease risk, including a
5 score calculated using a pooled cohort equation;

6 (2) "health care provider" means a physician,
7 physician assistant, nurse practitioner or other health care
8 professional authorized to furnish health care services within
9 the scope of the professional's license; and

10 (3) "heart artery calcium scan" means a
11 computed tomography scan measuring coronary artery calcium for
12 atherosclerosis and abnormal artery structure and function."

13 SECTION 5. A new section of the Health Maintenance
14 Organization Law is enacted to read:

15 "[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

16 A. An individual or group health maintenance
17 organization contract that is delivered, issued for delivery or
18 renewed in this state shall provide coverage for eligible
19 enrollees to receive a heart artery calcium scan.

20 B. Coverage provided pursuant to this section
21 shall:

22 (1) be limited to the provision of a heart
23 artery calcium scan to an eligible enrollee to be used as a
24 clinical management tool;

25 (2) be provided every five years if an

1 eligible enrollee has previously received a heart artery
2 calcium score of zero; and

3 (3) not be required for future heart artery
4 calcium scans if an eligible enrollee receives a heart artery
5 calcium score greater than zero.

6 C. At its discretion or required by law, a carrier
7 may offer or refuse coverage for further cardiac testing or
8 procedures for eligible enrollees based upon the results of a
9 heart artery calcium scan.

10 D. The provisions of this section do not apply to
11 short-term travel, accident-only or limited or specified-
12 disease policies, plans or certificates of health insurance.

13 E. As used in this section:

14 (1) "eligible enrollee" means an enrollee who:

15 (a) is a person between the ages of
16 forty-five and sixty-five; and

17 (b) has an intermediate risk of
18 developing coronary heart disease as determined by a health
19 care provider based upon a score calculated from an evidence-
20 based algorithm widely used in the medical community to assess
21 a person's ten-year cardiovascular disease risk, including a
22 score calculated using a pooled cohort equation;

23 (2) "health care provider" means a physician,
24 physician assistant, nurse practitioner or other health care
25 professional authorized to furnish health care services within

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1 the scope of the professional's license; and

2 (3) "heart artery calcium scan" means a
3 computed tomography scan measuring coronary artery calcium for
4 atherosclerosis and abnormal artery structure and function."

5 SECTION 6. A new section of the Nonprofit Health Care
6 Plan Law is enacted to read:

7 "[NEW MATERIAL] HEART ARTERY CALCIUM SCAN COVERAGE.--

8 A. An individual or group health care plan that is
9 delivered, issued for delivery or renewed in this state shall
10 provide coverage for eligible subscribers to receive a heart
11 artery calcium scan.

12 B. Coverage provided pursuant to this section
13 shall:

14 (1) be limited to the provision of a heart
15 artery calcium scan to an eligible subscriber to be used as a
16 clinical management tool;

17 (2) be provided every five years if an
18 eligible subscriber has previously received a heart artery
19 calcium score of zero; and

20 (3) not be required for future heart artery
21 calcium scans if an eligible subscriber receives a heart artery
22 calcium score greater than zero.

23 C. At its discretion or as required by law, a
24 health care plan may offer or refuse coverage for further
25 cardiac testing or procedures for eligible subscribers based

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1 upon the results of a heart artery calcium scan.

2 D. The provisions of this section do not apply to
3 short-term travel, accident-only or limited or specified-
4 disease policies, plans or certificates of health insurance.

5 E. As used in this section:

6 (1) "eligible subscriber" means a subscriber
7 who:

8 (a) is a person between the ages of
9 forty-five and sixty-five; and

10 (b) has an intermediate risk of
11 developing coronary heart disease as determined by a health
12 care provider based upon a score calculated from an evidence-
13 based algorithm widely used in the medical community to assess
14 a person's ten-year cardiovascular disease risk, including a
15 score calculated using a pooled cohort equation;

16 (2) "health care provider" means a physician,
17 physician assistant, nurse practitioner or other health care
18 professional authorized to furnish health care services within
19 the scope of the professional's license; and

20 (3) "heart artery calcium scan" means a
21 computed tomography scan measuring coronary artery calcium for
22 atherosclerosis and abnormal artery structure and function."

23 SECTION 7. EFFECTIVE DATE.--The effective date of the
24 provisions of this act is January 1, 2021.