

LFC Requester:	RubyAnn Esquibel
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 02/21/2025 *Check all that apply:*
Bill Number: HB 430 Original Correction
 Amendment Substitute

Sponsor: Debra Serinana **Agency Name and Code Number:** _____
Short Title: An Act Related to Privacy of Health Data **Person Writing:** Nick Autio
Phone: 5057963438 **Email:** nautio@nmms.org

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: HB 430 regulates the manner in which certain “regulated entities” process, transmit, and otherwise maintain “regulated health information.”

FISCAL IMPLICATIONS

Note: HB 430 is not anticipated to have any direct impact on the General Fund.

SIGNIFICANT ISSUES

Although “licensed health care provider[s]” are excluded from the definition of “regulated entity,” the legal organizations formed by licensed health care providers would fall within the definition of “regulated entity.” Accordingly, independently owned medical practices, outpatient health care facilities, and other health care entities would be subject to the provisions of HB 430. Pursuant to HB 430, many of the “regulated entities” that would be subject to the provisions of HB 430 are already covered entities under the Health Insurance Portability and Accountability Act (“HIPAA”). The entire purpose of HIPAA is to ensure that confidential health information is protected, while also allowing that information to be transmitted in a heavily regulated manner to facilitate the provision of timely and high quality health care to patients. HB 430 would not only potentially create conflicts between state law and HIPAA, but it would also impose an incredible burden on health care entities, which are already subject to HIPAA.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

HB 430 should be amended to exclude any entity that is already a covered entity pursuant to HIPAA.