

LFC Requester:

Eric Chenier

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov/AgencyAnalysis) 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: 2/21/25

Check all that apply:

Bill Number: HB536Original Correction Amendment Substitute Sponsor: Rep. Marianna AnayaShort Title: Disclosure of Health Insurance

Billing Info

Agency Name

and Code

HCA 630

Number:

Person Writing Mark ReynoldsPhone: 505-531-7790 Email mark.reynolds@hca.n**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
SHB		\$46.75		\$46.75	Nonrecurring	SGF
MAD		\$33.38		\$33.38	Nonrecurring	Federal

MAD		\$10.70		\$10.70	Nonrecurring	SGF
Total		\$91.25		\$91.25	Nonrecurring	SGF

(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:

Enacts new sections in the Health Care Purchasing Act, Health Maintenance Organization Law, Nonprofit Health Care Plan Law, Chapter 59A, Article 22 and Chapter 59A, Article 23 to ensure that “sensitive health care services” received by those under health insurance policies, health care plans, or certificates of insurance are not disclosed.

Defines "sensitive health care service" as “any health care service that is of a particularly sensitive and personal nature, including: (1) reproductive or sexual health care services; (2) gender-affirming health care services; (3) behavioral health care services; or (4) health care services related to treating a victim of domestic violence.”

FISCAL IMPLICATIONS

State Health Benefits

May impact some correspondence. Estimated cost is \$46,750.00. No additional SHB impact.

Medical Assistance Division

Medical Assistance Division would require updates to correspondence including remittance advice and letters generated by the claims system. Estimated cost is \$44,500.00.

SIGNIFICANT ISSUES

Abortion-related and gender affirming health care is a right in New Mexico under the Reproductive and Gender-Affirming Health Care Freedom Act and Reproductive and Gender-Affirming Health Care Freedom Protection Act. (NMSA Chapter 24, Articles 34 and 35). Such health care is not fully protected federally, and some states have passed laws declaring these health care services are illegal.

Consequentially, other states may seek to criminally prosecute New Mexico residents who have received these services in NM and are present in the other state. Other states may also attempt to prosecute people who travel to New Mexico to receive the services and are currently present or residing in the other state. By keeping health care information private, HB536 would help to protect people from criminal prosecution for receiving services that are legal and protected in New Mexico.

PERFORMANCE IMPLICATIONS

None for the HCA.

ADMINISTRATIVE IMPLICATIONS

None for the HCA.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the HCA.

TECHNICAL ISSUES

None for the HCA.

OTHER SUBSTANTIVE ISSUES

None for the HCA.

ALTERNATIVES

None for the HCA.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A