

1 HOUSE BILL 398

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Mark Duncan and Gail Armstrong and Rebecca Dow
5 and Antonio Maestas
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10 AN ACT

11 RELATING TO INSURANCE; AMENDING THE HEALTH MAINTENANCE
12 ORGANIZATION LAW TO MODIFY THE TIME LINE FOR EXAMINATIONS OF
13 HEALTH MAINTENANCE ORGANIZATIONS AND CONTRACT PROVIDERS.
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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 59A-46-19 NMSA 1978 (being Laws 1993,
17 Chapter 266, Section 19) is amended to read:

18 "59A-46-19. EXAMINATIONS.--

19 A. The superintendent may make an examination of
20 the affairs of any health maintenance organization and
21 providers with whom [~~such~~] the health maintenance organization
22 has contracts, agreements or other arrangements as often as is
23 reasonably necessary for the protection of the interests of the
24 people of this state, but not less frequently than once every
25 [~~three~~] five years.

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underscoring material = new
[bracketed material] = delete

1 B. The superintendent may make or request the
2 secretary of health to make an examination concerning the
3 quality assurance program of the health maintenance
4 organization and of any providers with whom [~~such~~] the health
5 maintenance organization has contracts, agreements or other
6 arrangements as often as is reasonably necessary for the
7 protection of the interests of the people of this state.

8 C. Every health maintenance organization and
9 provider shall submit its books and records for [~~such~~]
10 examinations and in every way facilitate the completion of the
11 examination. Medical records of individuals and contract
12 providers shall not be subject to [~~such~~] examination. For the
13 purpose of examinations, the superintendent and the secretary
14 of health may administer oaths to and examine the officers and
15 agents of the health maintenance organization and the
16 principals of [~~such~~] the providers concerning their business.

17 D. The expenses of examinations under this section
18 shall be assessed against the health maintenance organization
19 being examined and remitted to the superintendent.

20 E. In lieu of [~~such~~] examination, the
21 superintendent may accept the report of an examination made by
22 the superintendent or secretary of health of another state.

23 F. Examination procedures shall be governed by the
24 applicable provisions of Chapter 59A, Article 4 NMSA 1978."

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