

HOUSE GOVERNMENT, ELECTIONS AND INDIAN AFFAIRS
COMMITTEE SUBSTITUTE FOR
HOUSE BILL 402

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

AN ACT

RELATING TO INSURANCE; REQUIRING THE SUPERINTENDENT OF
INSURANCE TO PROMULGATE RULES ESTABLISHING A TIME FRAME FOR
HEALTH INSURANCE CARRIERS TO LOAD INFORMATION ON APPROVED
DENTISTS AND DENTAL HYGIENISTS INTO THEIR PROVIDER PAYMENT
SYSTEMS; REQUIRING HEALTH INSURANCE CARRIERS TO REIMBURSE
APPROVED DENTISTS AND DENTAL HYGIENISTS IF THE HEALTH INSURANCE
CARRIERS FAIL TO LOAD THAT INFORMATION WITHIN THIRTY DAYS OF
RECEIVING A COMPLETE CREDENTIALING APPLICATION.

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

SECTION 1. A new section of the Short-Term Health Plan
and Excepted Benefit Act is enacted to read:

"[NEW MATERIAL] DENTAL PLAN--PROVIDER CREDENTIALING--
REQUIREMENTS--DEADLINE.--

A. The superintendent shall adopt and promulgate

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1 rules to provide for a uniform and efficient provider
2 credentialing process. The superintendent shall approve no
3 more than two forms of application to be used for the
4 credentialing of dentists and dental hygienists.

5 B. A health insurance carrier shall not require a
6 dentist or dental hygienist to submit information not required
7 by a credentialing application established pursuant to
8 Subsection A of this section.

9 C. The provisions of this section apply equally to
10 initial credentialing applications and applications for
11 recredentialing.

12 D. The rules that the superintendent adopts and
13 promulgates shall require primary credential verification no
14 more frequently than every three years and allow provisional
15 credentialing for a period of one year.

16 E. Nothing in this section shall be construed to
17 require a health insurance carrier to credential or
18 provisionally credential a dentist or dental hygienist.

19 F. The rules that the superintendent adopts and
20 promulgates shall establish that a health insurance carrier or
21 a health insurance carrier's agent shall:

22 (1) assess and verify the qualifications of a
23 dentist or dental hygienist who is applying to become a
24 participating provider within thirty calendar days of receipt
25 of a complete credentialing application and issue a decision in

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1 writing to the applicant approving or denying the credentialing
2 application;

3 (2) be permitted to extend the credentialing
4 period to assess and issue a determination by an additional
5 fifteen calendar days if, upon review of a complete
6 application, it is determined that the circumstance presented,
7 including an admission of sanctions by the state licensing
8 board, an investigation or a felony conviction, a revocation of
9 clinical privileges or a denial of insurance coverage, requires
10 additional consideration;

11 (3) within ten working days after receipt of a
12 credentialing application, send a written notification via
13 United States certified mail to the applicant requesting any
14 information or supporting documentation that the health
15 insurance carrier requires to approve or deny the credentialing
16 application. The notice to the applicant shall include a
17 complete and detailed description of all of the information or
18 supporting documentation required and the name, address and
19 telephone number of a person who serves as the applicant's
20 point of contact for completing the credentialing application
21 process. Any information required pursuant to this section
22 shall be reasonably related to the information in the
23 application; and

24 (4) no later than thirty calendar days as
25 described in Paragraph (1) of this subsection or an additional

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1 fifteen days as described in Paragraph (2) of this subsection,
2 load into the health insurance carrier's provider payment
3 system all dentist or dental hygienist information, including
4 all information needed to correctly reimburse a newly approved
5 dentist or dental hygienist according to the dentist's or
6 dental hygienist's contract. The health insurance carrier or
7 health insurance carrier's agent shall add the approved
8 dentist's or dental hygienist's data to the provider directory
9 upon loading the dentist's or dental hygienist's information
10 into the health insurance carrier's provider payment system.

11 G. A health insurance carrier shall reimburse a
12 dentist or dental hygienist for covered health care services
13 for any claims from the dentist or dental hygienist that the
14 health insurance carrier receives with a date of service more
15 than thirty calendar days after the date on which the health
16 insurance carrier received a complete credentialing application
17 for that dentist or dental hygienist if:

18 (1) the dentist or dental hygienist:

19 (a) has submitted a complete
20 credentialing application and any supporting documentation that
21 the health insurance carrier has requested in writing within
22 the time frame established in Paragraph (3) of Subsection F of
23 this section;

24 (b) has no past or current license
25 sanctions or limitations, as reported by the New Mexico board

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1 of dental health care or another pertinent licensing and
2 regulatory agency or a similar out-of-state licensing and
3 regulatory entity for a dentist or dental hygienist who is
4 licensed in another state; and

5 (c) has professional liability insurance
6 or is covered under the Medical Malpractice Act; and

7 (2) the health insurance carrier:

8 (a) has approved, or has failed to
9 approve or deny, the applicant's complete credentialing
10 application within the time frame established pursuant to
11 Paragraph (1) or (2) of Subsection F of this section; or

12 (b) fails to load the approved
13 applicant's information into the health insurance carrier's
14 provider payment system in accordance with Paragraph (4) of
15 Subsection F of this section.

16 H. A dentist or dental hygienist who, at the time
17 services were rendered, was not employed by a practice or group
18 that has contracted with the health insurance carrier to
19 provide services at specified rates of reimbursement shall be
20 paid by the health insurance carrier in accordance with the
21 health insurance carrier's standard reimbursement rate.

22 I. A dentist or dental hygienist who, at the time
23 services were rendered, was employed by a practice or group
24 that has contracted with the health insurance carrier to
25 provide services at specified rates of reimbursement shall be

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1 paid by the health insurance carrier in accordance with the
2 terms of that contract.

3 J. The superintendent shall adopt and promulgate
4 rules to provide for the resolution of disputes relating to
5 reimbursement and credentialing arising in cases where
6 credentialing is delayed beyond thirty days after application.

7 K. A health insurance carrier shall reimburse a
8 dentist or dental hygienist pursuant to Subsections G, H and I
9 of this section until the earlier of the following occurs:

10 (1) the health insurance carrier's approval or
11 denial of the dentist's or dental hygienist's complete
12 credentialing application; or

13 (2) the passage of three years from the date
14 the health insurance carrier received the dentist's or dental
15 hygienist's complete credentialing application.

16 L. As used in this section:

17 (1) "credentialing" means the process of
18 obtaining and verifying information about a dentist or dental
19 hygienist and evaluating that dentist or dental hygienist when
20 that dentist or dental hygienist seeks to become a
21 participating provider;

22 (2) "dental hygienist" means an individual who
23 has graduated and received a degree from a dental hygiene
24 educational program that is accredited by the commission on
25 dental accreditation, provides a minimum of two academic years

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1 of dental hygiene curriculum and is an institution of higher
2 education; and "dental hygienist" means, except as the context
3 otherwise requires, an individual who holds a license to
4 practice dental hygiene in New Mexico; and

5 (3) "dentist" means a person who has graduated
6 and received a degree from a school of dentistry that is
7 accredited by the commission on dental accreditation and holds
8 a license to practice dentistry in New Mexico."

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