

HOUSE BILL 536

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

INTRODUCED BY

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AN ACT

RELATING TO INSURANCE; PROHIBITING HEALTH INSURANCE BILLING  
INFORMATION FROM DISCLOSING PARTICULARLY SENSITIVE HEALTH CARE  
SERVICES THAT ARE PROVIDED TO PEOPLE COVERED BY THE INSURANCE.

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

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

"~~[NEW MATERIAL]~~ SENSITIVE BILLING INFORMATION.--

A. Any billing information, explanation of benefits  
or summary of payments provided to a person enrolled in group  
health coverage, including any form of self-insurance, offered,  
issued or renewed under the Health Care Purchasing Act shall  
not disclose any sensitive health care services received by a  
person covered by the group health coverage.

B. For the purposes of this section, "sensitive

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underscoring material = new  
[bracketed material] = delete

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1 health care service" means any health care service that is of a  
2 particularly sensitive and personal nature, including:

- 3 (1) reproductive or sexual health care  
4 services;
- 5 (2) gender-affirming health care services;
- 6 (3) behavioral health care services; or
- 7 (4) health care services related to treating a  
8 victim of domestic violence."

9 SECTION 2. A new section of Chapter 59A, Article 22 NMSA  
10 1978 is enacted to read:

11 "[NEW MATERIAL] SENSITIVE BILLING INFORMATION.--

12 A. Any billing information, explanation of benefits  
13 or summary of payments provided to a person enrolled in an  
14 individual group health insurance policy, health care plan or  
15 certificate of health insurance that is delivered, issued or  
16 renewed in this state shall not disclose any sensitive health  
17 care services received by a person covered by the policy, plan  
18 or certificate.

19 B. For the purposes of this section, "sensitive  
20 health care service" means any health care service that is of a  
21 particularly sensitive and personal nature, including:

- 22 (1) reproductive or sexual health care  
23 services;
- 24 (2) gender-affirming health care services;
- 25 (3) behavioral health care services; or

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1 (4) health care services related to treating a  
2 victim of domestic violence."

3 SECTION 3. A new section of Chapter 59A, Article 23 NMSA  
4 1978 is enacted to read:

5 "[NEW MATERIAL] SENSITIVE BILLING INFORMATION.--

6 A. Any billing information, explanation of benefits  
7 or summary of payments provided to a person enrolled in a group  
8 or blanket health insurance policy, health care plan or  
9 certificate of health insurance that is delivered, issued for  
10 delivery or renewed in this state shall not disclose any  
11 sensitive health care services received by a person covered by  
12 the policy, plan or certificate.

13 B. For the purposes of this section, "sensitive  
14 health care service" means any health care service that is of a  
15 particularly sensitive and personal nature, including:

- 16 (1) reproductive or sexual health care  
17 services;
- 18 (2) gender-affirming health care services;
- 19 (3) behavioral health care services; or
- 20 (4) health care services related to treating a  
21 victim of domestic violence."

22 SECTION 4. A new section of the Health Maintenance  
23 Organization Law is enacted to read:

24 "[NEW MATERIAL] SENSITIVE BILLING INFORMATION.--

25 A. Any billing information, explanation of benefits

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1 or summary of payments provided to a person enrolled in an  
2 individual or group health maintenance contract that is  
3 delivered, issued for delivery or renewed in this state shall  
4 not disclose any sensitive health care services received by a  
5 person covered by the health maintenance contract.

6 B. For the purposes of this section, "sensitive  
7 health care service" means any health care service that is of a  
8 particularly sensitive and personal nature, including:

- 9 (1) reproductive or sexual health care  
10 services;
- 11 (2) gender-affirming health care services;
- 12 (3) behavioral health care services; or
- 13 (4) health care services related to treating a  
14 victim of domestic violence."

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

17 "[NEW MATERIAL] SENSITIVE BILLING INFORMATION.--

18 A. Any billing information, explanation of benefits  
19 or summary of payments provided to a person enrolled in an  
20 individual or group health care plan that is delivered, issued  
21 or renewed in this state shall not disclose any sensitive  
22 health care services received by a person covered by the  
23 policy, plan or certificate.

24 B. For the purposes of this section, "sensitive  
25 health care service" means any health care service that is of a

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1 particularly sensitive and personal nature, including:  
2 (1) reproductive or sexual health care  
3 services;  
4 (2) gender-affirming health care services;  
5 (3) behavioral health care services; or  
6 (4) health care services related to treating a  
7 victim of domestic violence."