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SENATE BILL

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

DISCUSSION DRAFT

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO HEALTH COVERAGE; ENACTING NEW SECTIONS OF THE NMSA
1978 TO PROVIDE FOR LARGE EMPLOYER PARTICIPATION IN ANY STATE
HEALTH INSURANCE EXCHANGE.

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

**SECTION 1. [NEW MATERIAL] STATE HEALTH INSURANCE
EXCHANGE--LARGE EMPLOYER PARTICIPATION.--**

A. As of January 1, 2017, a large employer shall be
permitted to participate as a qualified employer on a state
health insurance exchange.

B. As used in this section:

(1) "large employer" means a person actively
engaged in business that, on at least fifty percent of its
working days during either of the two preceding years, employed
no fewer than fifty employees eligible for employer-sponsored

underscoring material = new
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1 health coverage; provided that:

2 (a) in determining the number of
3 eligible employees, the spouse or dependent of an employee may,
4 at the employer's discretion, be counted as a separate
5 employee;

6 (b) persons that are affiliated persons
7 or that are eligible to file a combined tax return for purposes
8 of state income taxation shall be considered one employer;

9 (c) in the case of an employer that was
10 not in existence throughout a preceding calendar year, the
11 determination of whether the employer is a small or large
12 employer shall be based on the average number of employees that
13 the employer is reasonably expected to employ on working days
14 in the current calendar year; and

15 (d) the employer does not self-insure;
16 and

17 (2) "state health insurance exchange" means an
18 entity established pursuant to state and federal law to provide
19 qualified health plans to qualified individuals and qualified
20 employers on the individual, small group or large group health
21 insurance market.

22 SECTION 2. A new section of Chapter 59A, Article 23 NMSA
23 1978 is enacted to read:

24 "[NEW MATERIAL] STATE HEALTH INSURANCE EXCHANGE--LARGE
25 EMPLOYER PARTICIPATION.--

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