

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 754

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

AN ACT

RELATING TO PRESCRIPTION DRUGS; ALLOWING THE MEDICAL INSURANCE
POOL TO CREATE A PRESCRIPTION DRUG PROGRAM

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

Section 1. A new section of the Medical Insurance Pool
Act is enacted to read:

"[NEW MATERIAL] PRESCRIPTION DRUG PROGRAM - COST-SHARING. --

A. The board may establish a prescription drug
program, in whole or in part, including a pilot or phase-in
program, to offer selected eligible persons the ability to
purchase prescription drugs. The board may establish varying
levels of eligibility and cost-sharing criteria as needed for
selected eligible persons.

B. The board may establish the cost-sharing amounts
payable by a person enrolled in the prescription drug program,

1 including the premium, deductible, coinsurance, co-payment and
2 other out-of-pocket expenses.

3 C. If the board establishes a prescription drug
4 program, the board shall establish the assessments pursuant to
5 Section 59A-54-10 NMSA 1978.

6 D. If the board establishes a prescription drug
7 program, the assessment for a pool member shall be determined
8 in the same manner as provided in this section provided that a
9 pool member shall be allowed a fifty percent credit on the
10 premium tax return for that member.

11 E. The board may issue a pool prescription drug
12 program benefit policy for a person who is over the age of
13 sixty-five and unable to purchase or is ineligible for a
14 similar prescription drug program. The board may issue a pool
15 prescription drug program benefit policy for a person who is
16 eligible for a state-funded or state-operated low-income
17 pharmacy benefit program."