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46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO HEALTH INSURANCE; REQUIRING STANDARD COPAYMENTS ON
PRESCRIPTION DRUG PURCHASES.

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

Section 1. A new section of Chapter 13, Article 7 NMSA
1978 is enacted to read:

"~~[NEW MATERIAL]~~ PRESCRIPTION DRUG COPAYMENTS. -- Any health
care coverage, including any form of self-insurance, offered,
issued or renewed under the Health Care Purchasing Act on or
after July 1, 2004 that offers prescription drug coverage with
copayments by the insured shall require that copayments be the
same for any prescribed drug, in the same quantity and for the
same duration, whether the prescription is dispensed by a
retail pharmacy, by mail order or by any other means. "

Section 2. A new section of Chapter 59A, Article 22 NMSA

underscored material = new
[bracketed material] = delete

1 1978 is enacted to read:

2 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- An
3 individual or group hospital or medical expense insurance
4 policy offered, issued or renewed in New Mexico on or after
5 July 1, 2004 that offers prescription drug coverage with
6 copayments by the insured shall require that copayments be the
7 same for any prescribed drug, in the same quantity and for the
8 same duration, whether the prescription is dispensed by a
9 retail pharmacy, by mail order or by any other means. "

10 Section 3. A new section of Chapter 59A, Article 23 NMSA
11 1978 is enacted to read:

12 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- Each group
13 health insurance policy offered, issued or renewed in New
14 Mexico on or after July 1, 2004 that offers prescription drug
15 coverage with copayments by the insured shall require that
16 copayments be the same for any prescribed drug, in the same
17 quantity and for the same duration, whether the prescription is
18 dispensed by a retail pharmacy, by mail order or by any other
19 means. "

20 Section 4. A new section of Chapter 59A, Article 46 NMSA
21 1978 is enacted to read:

22 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- All
23 individual and group health maintenance organization contracts
24 offered, issued or renewed in New Mexico on or after July 1,
25 2004 that offer prescription drug coverage with copayments by

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underscored material = new
[bracketed material] = delete

1 the enrollee shall require that copayments be the same for any
2 prescribed drug, in the same quantity and for the same
3 duration, whether the prescription is dispensed by a retail
4 pharmacy, by mail order or by any other means. "

5 Section 5. A new section of Chapter 59A, Article 47 NMSA
6 1978 is enacted to read:

7 "[NEW MATERIAL] PRESCRIPTION DRUG COPAYMENTS. -- Any
8 individual and group subscriber contracts offered, issued or
9 renewed in New Mexico on or after July 1, 2004 that offer
10 prescription drug coverage with copayments by the subscriber
11 shall require that copayments be the same for any prescribed
12 drug, in the same quantity and for the same duration, whether
13 the prescription is dispensed by a retail pharmacy, by mail
14 order or by any other means. "