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SENATE BILL 193

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Phil A. Griego

AN ACT

RELATING TO INSURANCE; REQUIRING ASSIGNMENT OF HEALTH CARE
CLAIMS TO PROVIDERS.

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

Section 1. A new section of Chapter 59A, Article 16 NMSA
1978 is enacted to read:

"NEW MATERIAL ASSIGNMENT OF HEALTH CLAIMS. --

A. As used in this section:

(1) "assignment" means the transfer from a
patient of the right to collect a claim payment to the provider
who rendered the treatment, good or service;

(2) "claim" means a demand for payment that
identifies a treatment, good or service as reimbursable under
the health care plan; and

(3) "health care plan" means a program that

underscored material = new
[bracketed material] = delete

1 provides hospital, surgical or medical expenses benefits to
2 subscribers or their dependents, as defined by the terms of the
3 plan, directly through insurance, reimbursement or other means.

4 B. An insurer shall not refuse to honor an
5 assignment of a claim under a health care plan. An insurance
6 policy or contract issued or renewed after June 30, 2005 shall
7 not contain a restriction on the insured's right to assign a
8 claim to a provider of health care services.

9 C. Claims shall be paid on the basis of assignment
10 to the provider of the health care service. The provider shall
11 not collect any payment from the patient except a co-payment,
12 coinsurance, deductible or other amount for which the patient
13 is liable under the health care plan.

14 D. Claims shall be paid pursuant to Section
15 59A-16-21.1 NMSA 1978. "

16 Section 2. EFFECTIVE DATE. --The effective date of the
17 provisions of this act is July 1, 2005.

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