

AN ACT

RELATING TO INSURANCE; ALLOWING INDIVIDUAL HEALTH CARE
COVERAGE OF UNMARRIED DEPENDENTS UNTIL THEIR TWENTY-FIFTH
BIRTHDAY.

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

Section 1. A new section of Chapter 59A, Article 22
NMSA 1978 is enacted to read:

"MAXIMUM AGE OF DEPENDENT.--An individual or group
health policy or certificate of insurance delivered, issued
for delivery or renewed in New Mexico that provides coverage
for an insured's dependent shall not terminate coverage of an
unmarried dependent by reason of the dependent's age before
the dependent's twenty-fifth birthday, regardless of whether
the dependent is enrolled in an educational institution."

Section 2. Section 59A-46-38.3 NMSA 1978 (being Laws
2003, Chapter 391, Section 5) is amended to read:

"59A-46-38.3. MAXIMUM AGE OF DEPENDENT.--Each
individual or group health maintenance organization contract
delivered or issued for delivery or renewed in New Mexico that
provides coverage for an enrollee's dependents shall not
terminate coverage of an unmarried dependent by reason of the
dependent's age before the dependent's twenty-fifth birthday,
regardless of whether the dependent is enrolled in an
educational institution; provided that this requirement does

not apply to the medicaid managed care system."

Section 3. Section 59A-47-40 NMSA 1978 (being Laws 2003, Chapter 391, Section 7) is amended to read:

"59A-47-40. MAXIMUM AGE OF DEPENDENT.--An individual or group health care coverage, including any form of self-insurance, offered, issued or renewed under the Health Care Purchasing Act that offers coverage of an insured's dependent shall not terminate coverage of an unmarried dependent by reason of the dependent's age before the dependent's twenty-fifth birthday, regardless of whether the dependent is enrolled in an educational institution."

Section 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2005. _____