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SENATE BILL 182

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Cisco McSorley

AN ACT

RELATING TO INSURANCE; REQUIRING INSURERS TO OFFER HEALTH CARE  
COVERAGE FOR CERTAIN DOMESTIC PARTNERS.

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:

"[NEW MATERIAL] COVERAGE OF DOMESTIC PARTNERS.--

A. An insurer that provides group health insurance  
pursuant to Chapter 59A, Article 22 NMSA 1978 shall make  
available, upon an employer's request prior to issuance,  
delivery or renewal, coverage for domestic partners of  
employees who work or are expected to work an average of at  
least twenty hours per week over a six-month period. Nothing  
in this section shall be construed to require an employer to  
offer or provide coverage for domestic partners of employees

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1 who work or are expected to work an average of at least twenty  
2 hours per week over a six-month period.

3 B. As used in this section, "domestic partners"  
4 means unmarried partners over eighteen years of age, who:

5 (1) are in a mutually exclusive, committed  
6 relationship;

7 (2) have shared a primary residence for twelve  
8 or more consecutive months;

9 (3) are jointly responsible for the common  
10 welfare of each other; and

11 (4) share financial obligations."

12 Section 2. A new section of Chapter 59A, Article 23 NMSA  
13 1978 is enacted to read:

14 "[NEW MATERIAL] COVERAGE OF DOMESTIC PARTNERS.--

15 A. An insurer that provides group health insurance  
16 pursuant to Chapter 59A, Article 23 NMSA 1978 shall make  
17 available, upon an employer's request prior to issuance,  
18 delivery or renewal, coverage for domestic partners of  
19 employees who work or are expected to work an average of at  
20 least twenty hours per week over a six-month period. Nothing  
21 in this section shall be construed to require an employer to  
22 offer or provide coverage for domestic partners of employees  
23 who work or are expected to work an average of at least twenty  
24 hours per week over a six-month period.

25 B. As used in this section, "domestic partners"

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1 means unmarried partners over eighteen years of age who:

2 (1) are in a mutually exclusive, committed  
3 relationship;

4 (2) have shared a primary residence for twelve  
5 or more consecutive months;

6 (3) are jointly responsible for the common  
7 welfare of each other; and

8 (4) share financial obligations."

9 Section 3. A new section of the Health Maintenance  
10 Organization Law is enacted to read:

11 "[NEW MATERIAL] COVERAGE OF DOMESTIC PARTNERS.--

12 A. A health maintenance organization that provides  
13 coverage for health care services pursuant to the Health  
14 Maintenance Organization Law shall make available, upon an  
15 employer's request prior to issuance, delivery or renewal,  
16 coverage for domestic partners of employees who work or are  
17 expected to work an average of at least twenty hours per week  
18 over a six-month period. Nothing in this section shall be  
19 construed to require an employer to offer or provide coverage  
20 for domestic partners of employees who work or are expected to  
21 work an average of at least twenty hours per week over a six-  
22 month period.

23 B. As used in this section "domestic partners"  
24 means unmarried partners over eighteen years of age who:

25 (1) are in a mutually exclusive, committed

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1 relationship;

2 (2) have shared a primary residence for twelve  
3 or more consecutive months;

4 (3) are jointly responsible for the common  
5 welfare of each other; and

6 (4) share financial obligations."

7 Section 4. A new section of the Nonprofit Health Care  
8 Plan Law is enacted to read:

9 "[NEW MATERIAL] COVERAGE OF DOMESTIC PARTNERS.--

10 A. A health care plan that provides coverage for  
11 health care pursuant to the Nonprofit Health Care Plan Law  
12 shall make available, upon an employer's request prior to  
13 issuance, delivery or renewal, coverage for domestic partners  
14 of employees who work or are expected to work an average of at  
15 least twenty hours per week over a six-month period. Nothing  
16 in this section shall be construed to require an employer to  
17 offer or provide coverage for domestic partners of employees  
18 who work or are expected to work an average of at least twenty  
19 hours per week over a six-month period.

20 B. As used in this section "domestic partners"  
21 means unmarried partners over eighteen years of age who:

22 (1) are in a mutually exclusive, committed  
23 relationship;

24 (2) have shared a primary residence for twelve  
25 or more consecutive months;

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1 (3) are jointly responsible for the common  
2 welfare of each other; and

3 (4) share financial obligations."

4 Section 5. EFFECTIVE DATE.--The effective date of the  
5 provisions of this act is July 1, 2007.

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