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AN ACT

RELATING TO HEALTH INSURANCE COVERAGE; MANDATING COVERAGE FOR
THE HUMAN PAPILLOMAVIRUS VACCINE.

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

Section 1. A new Section 59A-22-40.1 NMSA 1978 is
enacted to read:

"59A-22-40.1. COVERAGE FOR THE HUMAN PAPILLOMAVIRUS
VACCINE.--

A. An individual or group health insurance policy,
health care plan or certificate of health insurance that is
delivered, issued for delivery or renewed in this state shall
provide coverage for the human papillomavirus vaccine to
females nine to fourteen years of age.

B. Coverage for the human papillomavirus vaccine
may be subject to deductibles and coinsurance consistent with
those imposed on other benefits under the same policy, plan
or certificate.

C. The provisions of this section shall not apply
to short-term travel, accident-only or limited or specified
disease policies.

D. For the purposes of this section, "human
papillomavirus vaccine" means a vaccine approved by the
federal food and drug administration used for the prevention
of human papillomavirus infection and cervical precancers."

1 Section 2. Section 59A-23-4 NMSA 1978 (being Laws 1984,
2 Chapter 127, Section 463, as amended) is amended to read:

3 "59A-23-4. OTHER PROVISIONS APPLICABLE.--

4 A. A blanket or group health insurance policy or
5 contract shall not contain a provision relative to notice or
6 proof of loss or the time for paying benefits or the time
7 within which suit may be brought upon the policy that in the
8 superintendent's opinion is less favorable to the insured
9 than would be permitted in the required or optional
10 provisions for individual health insurance policies as set
11 forth in Chapter 59A, Article 22 NMSA 1978.

12 B. The following provisions of Chapter 59A,
13 Article 22 NMSA 1978 shall also apply as to Chapter 59A,
14 Article 23 NMSA 1978 and blanket and group health insurance
15 contracts:

16 (1) Section 59A-22-1 NMSA 1978, except
17 Subsection C of that section; and

18 (2) Section 59A-22-32 NMSA 1978.

19 C. The following provisions of Chapter 59A,
20 Article 22 NMSA 1978 shall also apply as to group health
21 insurance contracts:

22 (1) Section 59A-22-33 NMSA 1978;

23 (2) Section 59A-22-34 NMSA 1978;

24 (3) Section 59A-22-34.1 NMSA 1978;

25 (4) Section 59A-22-34.3 NMSA 1978;

- 1 (5) Section 59A-22-35 NMSA 1978;
- 2 (6) Section 59A-22-36 NMSA 1978;
- 3 (7) Section 59A-22-39 NMSA 1978;
- 4 (8) Section 59A-22-39.1 NMSA 1978;
- 5 (9) Section 59A-22-40 NMSA 1978;
- 6 (10) Section 59A-22-40.1 NMSA 1978;
- 7 (11) Section 59A-22-41 NMSA 1978;
- 8 (12) Section 59A-22-42 NMSA 1978; and
- 9 (13) Section 59A-22-44 NMSA 1978."

10 Section 3. A new Section 59A-46-42.1 NMSA 1978 is
11 enacted to read:

12 "59A-46-42.1. COVERAGE FOR THE HUMAN PAPILLOMAVIRUS
13 VACCINE.--

14 A. An individual or group health maintenance
15 organization contract delivered, issued for delivery or
16 renewed in this state shall provide coverage for the human
17 papillomavirus vaccine to females nine to fourteen years of
18 age.

19 B. Coverage for the human papillomavirus vaccine
20 may be subject to deductibles and coinsurance consistent with
21 those imposed on other benefits under the same policy, plan
22 or certificate.

23 C. The provisions of this section shall not apply
24 to short-term travel, accident-only or limited or specified
25 disease policies.

1 D. For the purposes of this section, "human
2 papillomavirus vaccine" means a vaccine approved by the
3 federal food and drug administration used for the prevention
4 of human papillomavirus infection and cervical precancers."

5 Section 4. Section 59A-47-33 NMSA 1978 (being Laws
6 1984, Chapter 127, Section 879.32, as amended) is amended to
7 read:

8 "59A-47-33. OTHER PROVISIONS APPLICABLE.--The
9 provisions of the Insurance Code other than Chapter 59A,
10 Article 47 NMSA 1978 shall not apply to health care plans
11 except as expressly provided in the Insurance Code and that
12 article. To the extent reasonable and not inconsistent with
13 the provisions of that article, the following articles and
14 provisions of the Insurance Code shall also apply to health
15 care plans, their promoters, sponsors, directors, officers,
16 employees, agents, solicitors and other representatives; and,
17 for the purposes of such applicability, a health care plan
18 may therein be referred to as an "insurer":

19 A. Chapter 59A, Article 1 NMSA 1978;

20 B. Chapter 59A, Article 2 NMSA 1978;

21 C. Chapter 59A, Article 4 NMSA 1978;

22 D. Subsection C of Section 59A-5-22 NMSA 1978;

23 E. Sections 59A-6-2 through 59A-6-4 and
24 59A-6-6 NMSA 1978;

25 F. Section 59A-7-11 NMSA 1978;

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- G. Chapter 59A, Article 8 NMSA 1978;
- H. Chapter 59A, Article 10 NMSA 1978;
- I. Section 59A-12-22 NMSA 1978;
- J. Chapter 59A, Article 16 NMSA 1978;
- K. Chapter 59A, Article 18 NMSA 1978;
- L. the Policy Language Simplification Law;
- M. Subsections B through E of Section 59A-22-5
NMSA 1978;
- N. Section 59A-22-14 NMSA 1978;
- O. Section 59A-22-34.1 NMSA 1978;
- P. Section 59A-22-39 NMSA 1978;
- Q. Section 59A-22-40 NMSA 1978;
- R. Section 59A-22-40.1 NMSA 1978;
- S. Section 59A-22-41 NMSA 1978;
- T. Section 59A-22-42 NMSA 1978;
- U. Section 59A-22-44 NMSA 1978;
- V. Sections 59A-34-7 through 59A-34-13,
59A-34-17, 59A-34-23, 59A-34-33, 59A-34-40 through 59A-34-42
and 59A-34-44 through 59A-34-46 NMSA 1978;
- W. The Insurance Holding Company Law, except
Section 59A-37-7 NMSA 1978;
- X. Section 59A-46-15 NMSA 1978; and
- Y. the Patient Protection Act."