

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HOUSE HEALTH,
GOVERNMENT AND INDIAN AFFAIRS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 66

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

AN ACT

RELATING TO HEALTH COVERAGE; ENACTING NEW SECTIONS OF THE
HEALTH CARE PURCHASING ACT, THE NEW MEXICO INSURANCE CODE, THE
HEALTH MAINTENANCE ORGANIZATION LAW AND THE NONPROFIT HEALTH
CARE PLAN LAW TO ESTABLISH HEALTH CARE COVERAGE IDENTIFICATION
CARD REQUIREMENTS.

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

SECTION 1. A new section of the Health Care Purchasing
Act is enacted to read:

"[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
ISSUANCE AND RENEWAL--RULEMAKING.--

A. A group health plan offering coverage pursuant
to this section shall issue an identification card to the
primary insured. The group health plan may also issue
identification cards to individuals covered under the primary

.193190.2

underscored material = new
[bracketed material] = delete

1 insured's coverage. The identification card shall contain the
2 following information in a readily identifiable format on the
3 face of the card and via electronic coding associated with the
4 card:

- 5 (1) the name of the insured;
- 6 (2) the identification number of the insured;
- 7 (3) the group health plan or contract number;

8 and

9 (4) a telephone number or electronic address
10 at which authorization or admission certification may be
11 obtained, if authorization or admission certification is
12 required.

13 B. A group health plan shall provide each primary
14 insured a new identification card issued pursuant to this
15 section according to the following schedule:

- 16 (1) within thirty days of a group health
17 plan's effective date;
- 18 (2) within thirty days of the date that the
19 group health plan receives the enrollment information of the
20 primary insured, after the primary insured initially becomes
21 eligible for coverage under an existing group health plan; and
- 22 (3) no later than thirty days after the group
23 health plan receives notice of a change in any information that
24 an identification card is required to contain pursuant to
25 Subsection A of this section.

.193190.2

1 C. A group health plan that has provided an
2 identification card to a primary insured before January 1, 2014
3 shall replace that card upon renewal of the group health plan
4 with an identification card that complies with the provisions
5 of this section.

6 D. By July 1, 2014, the secretary of general
7 services shall consult with and consider the recommendations of
8 the superintendent of insurance and adopt and promulgate rules
9 to establish machine readability standards for identification
10 cards issued pursuant to this section. In adopting these
11 rules, the secretary shall consider the following factors:

12 (1) state and national industry standards for
13 machine readability of identification cards;

14 (2) the cost associated with issuing machine-
15 readable identification cards;

16 (3) the feasibility of issuing machine-
17 readable identification cards; and

18 (4) the projected utilization of the machine-
19 readable portions of identification cards.

20 E. The provisions of this section shall not apply
21 to group health coverage intended to supplement major medical
22 group-type coverage such as medicare supplement, long-term
23 care, disability income, specified disease, accident-only,
24 hospital indemnity or any other limited-benefit health
25 insurance policy.

.193190.2

1 F. As used in this section:

2 (1) "identification card" means a group health
3 plan identification card; and

4 (2) "primary care provider" means a health
5 care practitioner acting within the scope of the health care
6 practitioner's license who provides the first level of basic or
7 general health care for a person's health needs, including
8 diagnostic and treatment services, initiates referrals to other
9 health care practitioners and maintains the continuity of care
10 when appropriate."

11 SECTION 2. A new section of Chapter 59A, Article 22 NMSA
12 1978 is enacted to read:

13 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
14 ISSUANCE AND RENEWAL--RULEMAKING.--

15 A. An insurer that delivers, issues for delivery or
16 renews an individual health insurance policy, health care plan
17 or certificate of health insurance in this state shall issue an
18 identification card to the primary insured. The insurer may
19 also issue identification cards to individuals covered under
20 the primary insured's coverage. The identification card shall
21 contain the following information in a readily identifiable
22 format on the face of the card and via electronic coding
23 associated with the card:

24 (1) the name of the insurer issuing the health
25 insurance policy, health care plan or certificate of health

.193190.2

1 insurance;

2 (2) the name of the insured;

3 (3) the insured's identification number;

4 (4) the policy, plan or certificate number;

5 and

6 (5) a telephone number or electronic address
7 at which authorization or admission certification may be
8 obtained, if authorization or admission certification is
9 required.

10 B. An insurer shall provide each primary insured a
11 new identification card issued pursuant to this section
12 according to the following schedule:

13 (1) within thirty days of a health insurance
14 policy's, health care plan's or certificate of health
15 insurance's effective date;

16 (2) within thirty days of the date that the
17 insurer receives the enrollment information of the primary
18 insured, after the primary insured initially becomes eligible
19 for coverage under an existing health insurance policy, health
20 care plan or certificate of health insurance; and

21 (3) no later than thirty days after the
22 insurer receives notice of a change in any information that an
23 identification card is required to contain pursuant to
24 Subsection A of this section.

25 C. An individual health insurance policy, health

.193190.2

1 care plan or certificate of health insurance that has provided
2 an identification card to a primary insured before January 1,
3 2014 shall replace that card upon renewal of the policy, plan
4 or certificate with an identification card that complies with
5 the provisions of this section.

6 D. Each insurer of an individual health insurance
7 policy, health care plan or certificate of health insurance in
8 the state shall make an informational filing of the
9 identification card form with the superintendent. The filing
10 shall contain the form of the identification card with all
11 information required pursuant to this section. All variants of
12 the form shall be identified.

13 E. By July 1, 2014, the superintendent shall adopt
14 and promulgate rules to establish machine readability standards
15 for identification cards issued pursuant to this section. In
16 adopting these rules, the superintendent shall consider the
17 following factors:

18 (1) state and national industry standards for
19 machine readability of identification cards;

20 (2) the cost associated with issuing
21 machine-readable identification cards;

22 (3) the feasibility of issuing
23 machine-readable identification cards; and

24 (4) the projected utilization of the
25 machine-readable portions of identification cards.

.193190.2

1 F. The provisions of this section shall not apply
2 to individual health insurance policies, plans or certificates
3 intended to supplement major medical group-type coverage such
4 as medicare supplement, long-term care, disability income,
5 specified disease, accident-only, hospital indemnity or any
6 other limited-benefit health insurance policy, plan or
7 certificate.

8 G. As used in this section:

9 (1) "identification card" means a health
10 insurance policy, health care plan or certificate of health
11 insurance identification card; and

12 (2) "primary care provider" means a health
13 care practitioner acting within the scope of the health care
14 practitioner's license who provides the first level of basic or
15 general health care for a person's health needs, including
16 diagnostic and treatment services, initiates referrals to other
17 health care practitioners and maintains the continuity of care
18 when appropriate."

19 SECTION 3. A new section of Chapter 59A, Article 23 NMSA
20 1978 is enacted to read:

21 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
22 ISSUANCE AND RENEWAL--RULEMAKING.--

23 A. An insurer that delivers, issues for delivery or
24 renews a group or blanket health insurance policy, health care
25 plan or certificate of health insurance in this state shall

.193190.2

1 issue an identification card to the primary insured. The
2 insurer may also issue identification cards to individuals
3 covered under the primary insured's coverage. The
4 identification card shall contain the following information in
5 a readily identifiable format on the face of the card and via
6 electronic coding associated with the card:

7 (1) the name of the insurer issuing the health
8 insurance policy, health care plan or certificate of health
9 insurance;

10 (2) the name of the insured;

11 (3) the identification number of the insured;

12 (4) the group or blanket number, if
13 applicable;

14 (5) the policy, plan or certificate number, if
15 applicable; and

16 (6) a telephone number or electronic address
17 at which authorization or admission certification may be
18 obtained, if authorization or admission certification is
19 required.

20 B. An insurer shall provide each primary insured a
21 new identification card issued pursuant to this section
22 according to the following schedule:

23 (1) within thirty days of a health insurance
24 policy, health care plan or certificate of health insurance
25 becoming effective;

.193190.2

1 (2) within thirty days of the date that the
2 insurer receives the enrollment information of the primary
3 insured, after the primary insured initially becomes eligible
4 for coverage under an existing health insurance policy, health
5 care plan or certificate of health insurance; and

6 (3) no later than thirty days after the
7 insurer receives notice of a change in any information that an
8 identification card is required to contain pursuant to
9 Subsection A of this section.

10 C. An insurer that has provided an identification
11 card to a primary insured before January 1, 2014 shall replace
12 that card upon renewal of the policy, plan or certificate with
13 an identification card that complies with the provisions of
14 this section.

15 D. Each insurer of a group or blanket health
16 insurance policy, health care plan or certificate of health
17 insurance in the state shall make an informational filing of
18 the identification card form with the superintendent. The
19 filing shall contain the form of the identification card with
20 all information required pursuant to this section. All
21 variants of the form shall be identified.

22 E. By July 1, 2014, the superintendent shall adopt
23 and promulgate rules to establish machine readability standards
24 for identification cards issued pursuant to this section. In
25 adopting these rules, the superintendent shall consider the

.193190.2

1 following factors:

2 (1) state and national industry standards for
3 machine readability of identification cards;

4 (2) the cost associated with issuing
5 machine-readable identification cards;

6 (3) the feasibility of issuing
7 machine-readable identification cards; and

8 (4) the projected utilization of the
9 machine-readable portions of identification cards.

10 F. The provisions of this section shall not apply
11 to a group or blanket policy, plan or contract intended to
12 supplement major medical coverage such as medicare supplement,
13 long-term care, disability income, specified disease, accident-
14 only, hospital indemnity or any other limited-benefit health
15 insurance policy.

16 G. As used in this section:

17 (1) "identification card" means a health
18 insurance policy, health care plan or certificate of health
19 insurance identification card; and

20 (2) "primary care provider" means a health
21 care practitioner acting within the scope of the health care
22 practitioner's license who provides the first level of basic or
23 general health care for a person's health needs, including
24 diagnostic and treatment services, initiates referrals to other
25 health care practitioners and maintains the continuity of care

.193190.2

1 when appropriate."

2 SECTION 4. A new section of the Health Maintenance
3 Organization Law is enacted to read:

4 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
5 ISSUANCE AND RENEWAL--RULEMAKING.--

6 A. A carrier that delivers, issues for delivery or
7 renews an individual or group health maintenance organization
8 contract in this state shall issue an identification card to
9 the primary enrollee. The carrier may also issue
10 identification cards to individuals covered under the primary
11 enrollee's coverage. The identification card shall contain the
12 following information in a readily identifiable format on the
13 face of the card and via electronic coding associated with the
14 card:

15 (1) the name of the carrier issuing the health
16 maintenance organization contract;

17 (2) the name of the enrollee;

18 (3) the identification number of the enrollee;

19 (4) the contract number, if applicable;

20 (5) the group number, if applicable; and

21 (6) a telephone number or electronic address
22 at which authorization or admission certification may be
23 obtained, if authorization or admission certification is
24 required.

25 B. A carrier shall provide each primary enrollee a

.193190.2

1 new identification card issued pursuant to this section
2 according to the following schedule:

3 (1) within thirty days of a health maintenance
4 organization contract's effective date;

5 (2) within thirty days of the date that the
6 carrier receives the enrollment information of the primary
7 enrollee, after the primary enrollee initially becomes eligible
8 for coverage under an existing health maintenance organization
9 contract; and

10 (3) no later than thirty days after the
11 carrier receives notice of a change in any information that an
12 identification card is required to contain pursuant to
13 Subsection A of this section.

14 C. A carrier that has provided an identification
15 card to a primary enrollee before January 1, 2014 shall replace
16 that card upon renewal of the health maintenance organization
17 contract with an identification card that complies with the
18 provisions of this section.

19 D. Each carrier issuing an identification card
20 pursuant to this section shall make an informational filing of
21 the identification card form with the superintendent. The
22 filing shall contain the form of the identification card with
23 all information required pursuant to this section. All
24 variants of the form shall be identified.

25 E. By July 1, 2014, the superintendent shall adopt

1 and promulgate rules to establish machine readability standards
 2 for identification cards issued pursuant to this section. In
 3 adopting these rules, the superintendent shall consider the
 4 following factors:

5 (1) state and national industry standards for
 6 machine readability of identification cards;

7 (2) the cost associated with issuing
 8 machine-readable identification cards;

9 (3) the feasibility of issuing
 10 machine-readable identification cards; and

11 (4) the projected utilization of the
 12 machine-readable portions of identification cards.

13 F. The provisions of this section shall not apply
 14 to an individual or group health maintenance organization
 15 contract intended to supplement major medical coverage such as
 16 medicare supplement, long-term care, disability income,
 17 specified disease, accident-only, hospital indemnity or any
 18 other limited-benefit health insurance contract.

19 G. As used in this section:

20 (1) "identification card" means a health
 21 maintenance organization identification card; and

22 (2) "primary care provider" means a health
 23 care practitioner acting within the scope of the health care
 24 practitioner's license who provides the first level of basic or
 25 general health care for a person's health needs, including

.193190.2

1 diagnostic and treatment services, initiates referrals to other
2 health care practitioners and maintains the continuity of care
3 when appropriate."

4 SECTION 5. A new section of the Nonprofit Health Care
5 Plan Law is enacted to read:

6 "[NEW MATERIAL] IDENTIFICATION CARDS--REQUIREMENTS--TIMELY
7 ISSUANCE AND RENEWAL--RULEMAKING.--

8 A. An individual or group health care plan shall
9 issue an identification card to the primary subscriber. The
10 health care plan may also issue identification cards to
11 individuals covered under the primary subscriber's coverage.
12 The identification card shall contain the following information
13 in a readily identifiable format on the face of the card and
14 via electronic coding associated with the card:

15 (1) the name of the issuer of the health care
16 plan;

17 (2) the name of the subscriber;

18 (3) the identification number of the
19 subscriber;

20 (4) the health care plan or contract number,
21 if applicable;

22 (5) the group number, if applicable; and

23 (6) a telephone number or electronic address
24 at which authorization or admission certification may be
25 obtained, if authorization or admission certification is

.193190.2

1 required.

2 B. A health care plan shall provide each primary
3 subscriber a new identification card issued pursuant to this
4 section according to the following schedule:

5 (1) within thirty days of a health care plan's
6 effective date;

7 (2) within thirty days of the date that the
8 health care plan receives the enrollment information of the
9 primary subscriber, after the primary subscriber initially
10 becomes eligible for coverage under an existing health care
11 plan; and

12 (3) no later than thirty days after the health
13 care plan receives notice of a change in any information that
14 an identification card is required to contain pursuant to
15 Subsection A of this section.

16 C. A health care plan that has provided an
17 identification card to a primary subscriber before January 1,
18 2014 shall replace that card upon renewal of the health care
19 plan with an identification card that complies with the
20 provisions of this section.

21 D. Each health care plan issuing an identification
22 card pursuant to this section shall make an informational
23 filing of the identification card form with the superintendent.
24 The filing shall contain the form of the identification card
25 with all information required pursuant to this section. All

.193190.2

1 variants of the form shall be identified.

2 E. By July 1, 2014, the superintendent shall adopt
3 and promulgate rules to establish machine readability standards
4 for identification cards issued pursuant to this section. In
5 adopting these rules, the superintendent shall consider the
6 following factors:

7 (1) state and national industry standards for
8 machine readability of identification cards;

9 (2) the cost associated with issuing
10 machine-readable identification cards;

11 (3) the feasibility of issuing
12 machine-readable identification cards; and

13 (4) the projected utilization of the
14 machine-readable portions of identification cards.

15 F. The provisions of this section shall not apply
16 to an individual or group health care plan intended to
17 supplement major medical coverage such as medicare supplement,
18 long-term care, disability income, specified disease,
19 accident-only, hospital indemnity or any other limited-benefit
20 health insurance health care plan.

21 G. As used in this section:

22 (1) "identification card" means a health care
23 plan identification card; and

24 (2) "primary care provider" means a health
25 care practitioner acting within the scope of the health care

.193190.2

1 practitioner's license who provides the first level of basic or
2 general health care for a person's health needs, including
3 diagnostic and treatment services, initiates referrals to other
4 health care practitioners and maintains the continuity of care
5 when appropriate."

6 SECTION 6. EFFECTIVE DATE.--The effective date of the
7 provisions of this act is January 1, 2014.

8 - 17 -
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

underscoring material = new
~~[bracketed material]~~ = delete