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SENATE BILL 392

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Jeff Steinborn and Elizabeth "Liz" Stefanics
and Angel M. Charley and Cindy Nava and Natalie Figueroa

AN ACT

RELATING TO HOSPITALS; ENACTING A NEW SECTION OF THE HOSPITAL
FUNDING ACT; REQUIRING A COUNTY HOSPITAL OR CONTRACTING
HOSPITAL TO PROVIDE A STANDARD OF CARE OR SERVICES FOR PATIENTS
UNDER CERTAIN CIRCUMSTANCES; REQUIRING AFFORDABLE PAYMENT PLANS
FOR PATIENTS UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. A new section of the Hospital Funding Act is
enacted to read:

"[NEW MATERIAL] COUNTY HOSPITALS AND CONTRACTING
HOSPITALS--CARE AND SERVICES REQUIRED UNDER CERTAIN
CIRCUMSTANCES--PAYMENT PLANS REQUIRED UNDER CERTAIN
CIRCUMSTANCES.--

A. A county hospital or contracting hospital shall
provide a patient with a standard of care or services for their

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1 location and an affordable payment plan for treatment for a
2 life-threatening condition, including cancer, that places the
3 patient's health in serious jeopardy, causes serious impairment
4 to bodily function or causes serious dysfunction of any bodily
5 organ if the county hospital or contracting hospital is the
6 only provider of the care or services needed to treat the
7 patient's condition in the county where the patient resides, as
8 soon as the patient provides the hospital the documentation
9 necessary for the hospital to validate that the following
10 circumstances have occurred:

11 (1) the patient does not have commercially
12 provided health insurance through an employer or private
13 insurance plan;

14 (2) the patient does not qualify for medicare
15 or a state medicaid program;

16 (3) the patient's health insurance coverage is
17 not accepted by the county hospital or contracting hospital or
18 the patient is uninsured;

19 (4) the patient is ineligible for county
20 indigent programs; and

21 (5) the patient is ineligible for the New
22 Mexico medical insurance pool.

23 B. For a patient who is receiving care or services
24 for a life-threatening condition, pursuant to the requirements
25 in Subsection A of this section, the county hospital or

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1 contracting hospital providing the care or services shall
2 continue to provide the patient with the care or services and
3 the affordable payment plan until the effective date of any
4 type of coverage listed in Paragraphs (1) through (5) of
5 Subsection A of this section that the patient obtains.

6 C. The total payment owed to a county hospital or
7 contracting hospital by an uninsured patient for treatment or
8 services pursuant to this section shall be calculated by
9 applying the medicaid or medicare fee schedule in effect for
10 the service provided, whichever is greater. A monthly payment
11 pursuant to the affordable payment plan provided for in this
12 section shall not exceed five percent of a patient's monthly
13 household adjusted gross income."

14 SECTION 2. EFFECTIVE DATE.--The effective date of the
15 provisions of this act is July 1, 2025.