

LFC Requester:

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
AgencyAnalysis.nmlegis.gov and email to **billanalysis@dfa.nm.gov**
(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 01/16/2026 **Check all that apply:**
Bill Number: HB 38 Original Correction
 Amendment Substitute

Sponsor: Kathleen M Cates
Short WHEELCHAIR INSURANCE
COVERAGE

**Agency Name
and Code
Number:** Aging and Long-Term Services
Department - 6400
Person Writing Julie Sanchez
Phone: 505-629-2069 **Email** Julie.Sanchez@altsd.n

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
NA	NA	NA	NA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
NA	NA	NA	NA	NA

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NA	NA	NA	NA	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB 38 relates to insurance by modifying sections of the Health Purchasing Act and the New Mexico Insurance Code to require coverage for wheelchairs and activity chairs.

FISCAL IMPLICATIONS

No fiscal implications identified for ALTSD.

SIGNIFICANT ISSUES

The Aging and Long-Term Services Department (ALTSD) has reviewed House Bill 38. The bill primarily amends provisions of the Insurance Code and the Health Care Purchasing Act to expand coverage requirements for wheelchairs and activity chairs under certain private health benefit plans.

The department recognizes that some individuals served by ALTSD may transition between commercial insurance, Medicare, and Medicaid coverage over time. While HB 38 does not impose new statutory or administrative requirements on ALTSD programs, implementation of the bill may have indirect system-level effects related to provider capacity, equipment access expectations, and coordination across payers.

ALTSD will continue to coordinate with partner agencies, including the Office of the Superintendent of Insurance and the New Mexico Health Care Authority, as appropriate, to ensure clarity for older adults and individuals with disabilities regarding coverage distinctions and access to services.

PERFORMANCE IMPLICATIONS

ALTSD anticipates no direct performance impact from HB 38. The department does not expect changes to established performance measures, service delivery timelines, or outcome reporting as a result of the bill.

ADMINISTRATIVE IMPLICATIONS

ALTSD anticipates no direct administrative impact from HB 38. The department notes the potential for a modest increase in constituent inquiries and interagency coordination related to coverage distinctions between private insurance, Medicare, and Medicaid. The Consumer and Elder Rights Division (CERD) staff will need updated FAQs, training, and materials to ensure the right messaging gets to constituents.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES**OTHER SUBSTANTIVE ISSUES****ALTERNATIVES****WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

If HB 38 is not enacted, existing disparities in access to wheelchairs and activity chairs based on insurance coverage, geography, and plan-specific criteria may persist.

AMENDMENTS