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SENATE BILL 829

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO INSURANCE; PROVIDING EMPLOYERS WITH INCREASED
ACCESS TO UTILIZATION AND LOSS EXPERIENCE INFORMATION.

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

Section 1. A new section of Chapter 59A, Article 23 NMSA
1978 is enacted to read:

"[NEW MATERIAL] EMPLOYER UTILIZATION AND LOSS DATA
AVAILABILITY. -- Claims information, including utilization and
loss experience under health insurance provided under Chapter
59A, Article 23 NMSA 1978 shall be made available only upon the
request of and to employers of employees with such coverage
within sixty days of an employer's written request for such
information, provided the employer's coverage extends to no
less than twenty-five individual employees, regardless of
whether family coverage is included. In providing such

underscored material = new
[bracketed material] = delete

1 utilization data, carriers shall not reveal information that
2 allows identification of an individual employee or the
3 employee's family or the specific conditions for which coverage
4 was provided. "

5 Section 2. A new section of Chapter 59A, Article 23B NMSA
6 1978 is enacted to read:

7 "[NEW MATERIAL] EMPLOYER UTILIZATION AND LOSS DATA
8 AVAILABILITY. --Employer claims information, including
9 utilization and loss experience under a health insurance policy
10 or plan provided under Chapter 59A, Article 23B NMSA 1978 shall
11 be made available only upon the request of and to employers of
12 employees with such coverage within sixty days of an employer's
13 written request for such information, provided the employer's
14 coverage extends to no less than twenty-five individual
15 employees, regardless of whether family coverage is included.
16 In providing such utilization data, carriers shall not reveal
17 information that allows identification of an individual insured
18 or the insured's family or the specific conditions for which
19 coverage was provided. "

20 Section 3. A new section of Chapter 59A, Article 23C NMSA
21 1978 is enacted to read:

22 "[NEW MATERIAL] EMPLOYER UTILIZATION AND LOSS DATA
23 AVAILABILITY. --Employer claims information, including
24 utilization and loss experience under health insurance under a
25 group health plan, a health benefit plan or a plan provided

underscored material = new
[bracketed material] = delete

1 under Chapter 59A, Article 23C NMSA 1978 shall be made
2 available only upon the request of and to employers of
3 employees with such coverage within sixty days of an employer's
4 written request to the carrier for such information, provided
5 the employer's coverage extends to no less than twenty-five
6 individual employees, regardless of whether family coverage is
7 included. In providing such utilization data, carriers shall
8 not reveal information that permits identification of an
9 individual insured or the insured's family or the specific
10 conditions for which coverage was provided. "

11 Section 4. A new section of Chapter 59A, Article 46 NMSA
12 1978 is enacted to read:

13 "[NEW MATERIAL] EMPLOYER UTILIZATION AND LOSS DATA
14 AVAILABILITY.--Employer claims information, including
15 utilization and loss experience under health insurance provided
16 under Chapter 59A, Article 46 NMSA 1978 shall be made available
17 only upon the request of and to employers of enrollees with
18 such coverage within sixty days of an employer's written
19 request for such information to the carrier, provided the
20 employer's coverage extends to no less than twenty-five
21 individual enrollees, regardless of whether family coverage is
22 included. In providing such utilization data, carriers shall
23 not reveal information that permits identification of an
24 individual enrollee or the enrollee's family or the specific
25 conditions for which coverage was provided. "

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underscored material = new
[bracketed material] = delete

1 Section 5. A new section of Chapter 59A, Article 47 NMSA
2 1978 is enacted to read:

3 "[NEW MATERIAL] EMPLOYER UTILIZATION AND LOSS DATA
4 AVAILABILITY. -- Employer claims information, including
5 utilization and loss experience under health insurance provided
6 under Chapter 59A, Article 47 NMSA 1978 shall be made available
7 only upon the request of and to employers of subscribers with
8 such coverage within sixty days of an employer's written
9 request to the carrier for such information, provided the
10 employer's coverage extends to no less than twenty-five
11 individual subscribers, regardless of whether family coverage
12 is included. In providing such utilization data, carriers
13 shall not reveal information that permits identification of an
14 individual subscriber or the subscriber's family or the
15 specific conditions for which coverage was provided. "