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HOUSE BILL 335

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Danice Picraux

AN ACT

RELATING TO INSURANCE; ALLOWING INDIVIDUAL HEALTH CARE COVERAGE  
OF UNMARRIED DEPENDENTS UNTIL THEIR TWENTY-FIFTH BIRTHDAY.

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

Section 1. A new section of Chapter 59A, Article 22 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] MAXIMUM AGE OF DEPENDENT.--An individual  
or group health policy or certificate of insurance delivered,  
issued for delivery or renewed in New Mexico that provides  
coverage for an insured's dependent shall not terminate  
coverage of an unmarried dependent by reason of the dependent's  
age before the dependent's twenty-fifth birthday, regardless of  
whether the dependent is enrolled in an educational  
institution."

Section 2. Section 59A-46-38.3 NMSA 1978 (being Laws

.153941.1GR

underscored material = new  
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1 2003, Chapter 391, Section 5) is amended to read:

2 "59A-46-38.3. MAXIMUM AGE OF DEPENDENT.--Each individual  
3 or group health maintenance organization contract delivered or  
4 issued for delivery or renewed in New Mexico [~~on or after July~~  
5 ~~1, 2003~~] that provides coverage for an enrollee's dependents  
6 shall not terminate coverage of an unmarried dependent by  
7 reason of the dependent's age before the dependent's twenty-  
8 fifth birthday, regardless of whether the dependent is enrolled  
9 in an educational institution; provided that this requirement  
10 does not apply to the medicaid managed care system."

11 Section 3. Section 59A-47-40 NMSA 1978 (being Laws 2003,  
12 Chapter 391, Section 7) is amended to read:

13 "59A-47-40. MAXIMUM AGE OF DEPENDENT.--[~~Any~~] An  
14 individual or group health care coverage, including any form of  
15 self-insurance, offered, issued or renewed under the Health  
16 Care Purchasing Act [~~on or after July 1, 2003~~] that offers  
17 coverage of an insured's dependent shall not terminate coverage  
18 of an unmarried dependent by reason of the dependent's age  
19 before the dependent's twenty-fifth birthday, regardless of  
20 whether the dependent is enrolled in an educational  
21 institution."

22 Section 4. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is July 1, 2005.