

FORTY-SEVENTH LEGISLATURE
FIRST SESSION

March 11, 2005

SENATE FLOOR AMENDMENT number ___1___ to SENATE BILL 371, as amended

Amendment sponsored by Senator Phil A. Griego

1. Strike Senate Public Affairs Committee Amendments 1 and 2.

2. On page 1, line 15, through page 2, line 22, strike Sections 1 and 2 in their entirety and insert in lieu thereof the following new sections:

"Section 1. Section 59A-12A-10 NMSA 1978 (being Laws 1989, Chapter 374, Section 10) is amended to read:

"59A-12A-10. PAYMENT OF CLAIMS. --

A. Except as provided in Subsection B of this section, all claims paid by the administrator from funds collected on behalf of the insurer shall be paid only on drafts of and as authorized by [such] the insurer.

B. Claims paid by an administrator for a dental insurer shall be paid on the basis of assignment to the provider of the dental health care. No dental insurer may refuse to honor an assignment of a claim for payment of benefits. The provider may collect from the insured any co-payment, coinsurance, deductible or other amount that the insured is liable for under the dental health care plan.

C. For the purpose of this section, "dental insurer" means a person licensed by the state to issue health insurance that offers coverage for services provided in the practice of dentistry and the practice of dental hygiene as defined in Section 61-5A-4 NMSA 1978."

Section 2. A new section of Chapter 59A, Article 22 NMSA 1978

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is enacted to read:

"[NEW MATERIAL] DENTAL COVERAGE CLAIMS PAYMENT. --

A. An individual or group hospital or medical expense insurance policy delivered or issued for delivery in this state that provides dental coverage shall pay claims for benefits provided under that coverage on the basis of assignment to the provider of the dental care. The provider may collect from the insured any co-payment, co-insurance, deductible or other amount that the insured is liable for under the policy.

B. For the purposes of this section, "dental coverage" means health insurance coverage of services provided in the practice of dentistry and the practice of dental hygiene as defined in Section 61-5A-4 NMSA 1978. "

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

"[NEW MATERIAL] DENTAL COVERAGE CLAIMS PAYMENT. --

A. Each insurer that delivers or issues for delivery in this state a group health insurance policy that provides dental coverage shall pay claims for benefits provided under that coverage on the basis of assignment to the provider of the dental care. The provider may collect from the insured any co-payment, co-insurance, deductible or other amount that the insured is liable for under the policy.

B. For the purposes of this section, "dental coverage" means health insurance coverage of services provided in the practice of dentistry and the practice of dental hygiene as defined in Section 61-5A-4 NMSA 1978. "".

3. Renumber the succeeding sections accordingly.

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Phil A. Griego

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____