

SENATE TAX, BUSINESS AND TRANSPORTATION
COMMITTEE SUBSTITUTE FOR
SENATE BILL 278

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

AN ACT

RELATING TO INSURANCE; AMENDING THE HEALTH CARE PURCHASING ACT,
THE PUBLIC ASSISTANCE ACT AND SECTIONS OF THE NEW MEXICO
INSURANCE CODE TO PROHIBIT COST SHARING FOR CORONARY ARTERY
CALCIUM SCREENING; BROADENING ELIGIBILITY FOR CORONARY ARTERY
CALCIUM SCREENING; EXCLUDING CERTAIN PLANS.

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

SECTION 1. Section 13-7-24 NMSA 1978 (being Laws 2020,
Chapter 79, Section 1) is amended to read:

"13-7-24. [~~HEART~~] CORONARY ARTERY CALCIUM [~~SCAN~~]
SCREENING COVERAGE.--

A. Group health coverage, including any form of
self-insurance, offered, issued or renewed under the Health
Care Purchasing Act shall provide coverage for eligible
insureds to receive a [~~heart~~] coronary artery calcium [~~scan~~]

screening.

B. Coverage provided pursuant to this section shall:

(1) be limited to the provision of a ~~[heart]~~ coronary artery calcium [scan] screening to an eligible insured at the discretion of a health care provider to be used as a clinical management tool;

(2) be provided every five years if an eligible insured has previously received a ~~[heart]~~ coronary artery calcium score of zero; [and]

(3) not be required for future ~~[heart]~~ coronary artery calcium [scans] screenings if an eligible insured receives a ~~[heart]~~ coronary artery calcium score greater than zero; and

(4) not impose cost sharing on eligible insureds over the age of forty-nine.

~~[C. At its discretion or as required by law, an insurer may offer or refuse coverage for further cardiac testing or procedures for eligible insureds based upon the results of a heart artery calcium scan.~~

~~D.]~~ C. The provisions of this section shall not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance, catastrophic plans as defined under 42 USCA Section 18022(e) or high-deductible health plans with health savings

accounts until a covered person's deductible has been met,
unless otherwise permitted by federal law.

[E.] D. As used in this section:

~~[(1) "eligible insured" means an insured who:~~

~~(a) is a person between the ages of
forty-five and sixty-five; and~~

~~(b) has an intermediate risk of
developing coronary heart disease as determined by a health
care provider based upon a score calculated from an evidence-
based algorithm widely used in the medical community to assess
a person's ten-year cardiovascular disease risk, including a
score calculated using a pooled cohort equation;~~

~~(2) "health care provider" means a physician,
physician assistant, nurse practitioner or other health care
professional authorized to furnish health care services within
the scope of the professional's license; and~~

~~(3) "heart] (1) "coronary artery calcium
[scan] screening" means a computed tomography scan measuring
coronary artery calcium for atherosclerosis and abnormal artery
structure and function;~~

~~(2) "cost sharing" means deductibles,
copayments or coinsurance; and~~

~~(3) "health care provider" means a physician,
physician assistant, nurse practitioner or other health care
professional authorized to furnish health care services within~~

1 the scope of the professional's license."

2 SECTION 2. Section 27-2-12.31 NMSA 1978 (being Laws 2020,
3 Chapter 79, Section 2) is amended to read:

4 "27-2-12.31. [~~HEART~~] CORONARY ARTERY CALCIUM [~~SCAN~~]
5 SCREENING COVERAGE.--

6 A. In accordance with federal law, the secretary
7 shall adopt and promulgate rules that provide medical
8 assistance coverage for eligible enrollees to receive a [~~heart~~]
9 coronary artery calcium [~~scan~~] screening.

10 B. Medical assistance coverage provided pursuant to
11 this section shall:

12 (1) be limited to the provision of a [~~heart~~]
13 coronary artery calcium [~~scan~~] screening to an eligible
14 enrollee at the discretion of a health care provider to be used
15 as a clinical management tool;

16 (2) be provided every five years if an
17 eligible enrollee has previously received a [~~heart~~] coronary
18 artery calcium score of zero; [~~and~~]

19 (3) not be required for future [~~heart~~]
20 coronary artery calcium [~~scans~~] screenings if an eligible
21 enrollee receives a [~~heart~~] coronary artery calcium score
22 greater than zero; and

23 (4) not impose cost sharing on eligible
24 enrollees over the age of forty-nine.

25 [~~G. At its discretion or as required by law, a~~

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~~managed care organization providing medical assistance may offer or refuse coverage for further cardiac testing or procedures for eligible enrollees based upon the results of a heart artery calcium scan.~~

~~D.]~~ C. The provisions of this section shall not apply to short-term travel, accident-only or limited or specified-disease policies, plans or certificates of health insurance, catastrophic plans as defined under 42 USCA Section 18022(e) or high-deductible health plans with health savings accounts until a covered person's deductible has been met, unless otherwise permitted by federal law.

~~[E.]~~ D. As used in this section:

~~[(1) "eligible enrollee" means an enrollee who:~~

~~(a) is a person between the ages of forty-five and sixty-five; and~~

~~(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;~~

~~(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within~~

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~~the scope of the professional's license; and~~

~~(3) "heart]~~ (1) "coronary artery calcium
[scan] screening" means a computed tomography scan measuring
coronary artery calcium for atherosclerosis and abnormal artery
structure and function;

(2) "cost sharing" means deductibles,
copayments or coinsurance; and

(3) "health care provider" means a physician,
physician assistant, nurse practitioner or other health care
professional authorized to furnish health care services within
the scope of the professional's license."

SECTION 3. Section 59A-23-7.16 NMSA 1978 (being Laws
2020, Chapter 79, Section 3) is amended to read:

"59A-23-7.16. ~~[HEART]~~ CORONARY ARTERY CALCIUM [SCAN]
SCREENING COVERAGE.--

A. A group health plan, other than a small group
health plan or a blanket health insurance policy or contract
that is delivered, issued for delivery or renewed in this state
shall provide coverage for eligible insureds to receive a
~~[heart]~~ coronary artery calcium [scan] screening.

B. Coverage provided pursuant to this section
shall:

(1) be limited to the provision of a ~~[heart]~~
coronary artery calcium [scan] screening to an eligible insured
at the discretion of a health care provider to be used as a

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1 clinical management tool;

2 (2) be provided every five years if an
3 eligible insured has previously received a ~~[heart]~~ coronary
4 artery calcium score of zero; ~~[and]~~

5 (3) not be required for future ~~[heart]~~
6 coronary artery calcium ~~[scans]~~ screenings if an eligible
7 insured receives a ~~[heart]~~ coronary artery calcium score
8 greater than zero; and

9 (4) not impose cost sharing on eligible
10 insureds over the age of forty-nine.

11 ~~[C. At its discretion or as required by law, an~~
12 ~~insurer may offer or refuse coverage for further cardiac~~
13 ~~testing or procedures for eligible insureds based upon the~~
14 ~~results of a heart artery calcium scan.~~

15 ~~D.]~~ C. The provisions of this section do not apply
16 to short-term travel, accident-only or limited or specified-
17 disease policies, plans or certificates of health insurance,
18 catastrophic plans as defined under 42 USCA Section 18022(e) or
19 high-deductible health plans with health savings accounts until
20 a covered person's deductible has been met, unless otherwise
21 permitted by federal law.

22 ~~[E.]~~ D. As used in this section:

23 ~~[(1) "eligible insured" means an insured who:~~
24 ~~(a) is a person between the ages of~~
25 ~~forty-five and sixty-five; and~~

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~~(b) has an intermediate risk of developing coronary heart disease as determined by a health care provider based upon a score calculated from an evidence-based algorithm widely used in the medical community to assess a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;~~

~~(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and~~

~~(3) "heart~~] (1) "coronary artery calcium [scan] screening" means a computed tomography scan measuring coronary artery calcium for atherosclerosis and abnormal artery structure and function;

(2) "cost sharing" means deductibles, copayments or coinsurance; and

(3) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license."

SECTION 4. Section 59A-46-50.5 NMSA 1978 (being Laws 2020, Chapter 79, Section 4) is amended to read:

"59A-46-50.5. [HEART] CORONARY ARTERY CALCIUM [SCAN] SCREENING COVERAGE.--

A. A group health maintenance organization

1 contract, other than a small group health maintenance
 2 organization contract, that is delivered, issued for delivery
 3 or renewed in this state shall provide coverage for eligible
 4 enrollees to receive a [heart] coronary artery calcium [scan]
 5 screening.

6 B. Coverage provided pursuant to this section
 7 shall:

8 (1) be limited to the provision of a [heart]
 9 coronary artery calcium [scan] screening to an eligible
 10 enrollee at the discretion of a health care provider to be used
 11 as a clinical management tool;

12 (2) be provided every five years if an
 13 eligible enrollee has previously received a [heart] coronary
 14 artery calcium score of zero; [and]

15 (3) not be required for future [heart]
 16 coronary artery calcium [scans] screenings if an eligible
 17 enrollee receives a [heart] coronary artery calcium score
 18 greater than zero; and

19 (4) not impose cost sharing on eligible
 20 enrollees over the age of forty-nine.

21 ~~[C. At its discretion or as required by law, a~~
 22 ~~carrier may offer or refuse coverage for further cardiac~~
 23 ~~testing or procedures for eligible enrollees based upon the~~
 24 ~~results of a heart artery calcium scan.~~

25 ~~D.]~~ C. The provisions of this section do not apply

1 to short-term travel, accident-only or limited or specified-
 2 disease policies, plans or certificates of health insurance,
 3 catastrophic plans as defined under 42 USCA Section 18022(e) or
 4 high-deductible health plans with health savings accounts until
 5 a covered person's deductible has been met, unless otherwise
 6 permitted by federal law.

7 [E-] D. As used in this section:

8 [~~(1)~~] "~~eligible enrollee~~" means an enrollee
 9 who:

10 ~~(a) is a person between the ages of~~
 11 ~~forty-five and sixty-five; and~~

12 ~~(b) has an intermediate risk of~~
 13 ~~developing coronary heart disease as determined by a health~~
 14 ~~care provider based upon a score calculated from an evidence-~~
 15 ~~based algorithm widely used in the medical community to assess~~
 16 ~~a person's ten-year cardiovascular disease risk, including a~~
 17 ~~score calculated using a pooled cohort equation;~~

18 ~~(2) "health care provider" means a physician,~~
 19 ~~physician assistant, nurse practitioner or other health care~~
 20 ~~professional authorized to furnish health care services within~~
 21 ~~the scope of the professional's license; and~~

22 ~~(3) heart]~~ (1) "coronary artery calcium
 23 [~~scan~~] screening" means a computed tomography scan measuring
 24 coronary artery calcium for atherosclerosis and abnormal artery
 25 structure and function;

(2) "cost sharing" means deductibles, copayments or coinsurance; and

(3) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license."

SECTION 5. Section 59A-47-45.7 NMSA 1978 (being Laws 2020, Chapter 79, Section 5) is amended to read:

"59A-47-45.7. ~~[HEART]~~ CORONARY ARTERY CALCIUM ~~[SCAN]~~ SCREENING COVERAGE.--

A. A group health care plan, other than a small group health care plan, that is delivered, issued for delivery or renewed in this state shall provide coverage for eligible subscribers to receive a ~~[heart]~~ coronary artery calcium ~~[scan]~~ screening.

B. Coverage provided pursuant to this section shall:

(1) be limited to the provision of a ~~[heart]~~ coronary artery calcium ~~[scan]~~ screening to an eligible subscriber at the discretion of a health care provider to be used as a clinical management tool;

(2) be provided every five years if an eligible subscriber has previously received a ~~[heart]~~ coronary artery calcium score of zero; ~~[and]~~

(3) not be required for future ~~[heart]~~

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1 coronary artery calcium [~~scans~~] screenings if an eligible
2 subscriber receives a [~~heart~~] coronary artery calcium score
3 greater than zero; and

4 (4) not impose cost sharing on eligible
5 subscribers over the age of forty-nine.

6 ~~[C. At its discretion or as required by law, a~~
7 ~~health care plan may offer or refuse coverage for further~~
8 ~~cardiac testing or procedures for eligible subscribers based~~
9 ~~upon the results of a heart artery calcium scan.~~

10 ~~D.]~~ C. The provisions of this section do not apply
11 to short-term travel, accident-only or limited or specified-
12 disease policies, plans or certificates of health insurance,
13 catastrophic plans as defined under 42 USCA Section 18022(e) or
14 high-deductible health plans with health savings accounts until
15 a covered person's deductible has been met, unless otherwise
16 permitted by federal law.

17 ~~[E.]~~ D. As used in this section:

18 ~~[(1) "eligible subscriber" means a subscriber~~
19 ~~who:~~

20 ~~(a) is a person between the ages of~~
21 ~~forty-five and sixty-five; and~~

22 ~~(b) has an intermediate risk of~~
23 ~~developing coronary heart disease as determined by a health~~
24 ~~care provider based upon a score calculated from an evidence-~~
25 ~~based algorithm widely used in the medical community to assess~~

~~a person's ten-year cardiovascular disease risk, including a score calculated using a pooled cohort equation;~~

~~(2) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license; and~~

~~(3) "heart]~~ (1) "coronary artery calcium [scan] screening" means a computed tomography scan measuring coronary artery calcium for atherosclerosis and abnormal artery structure and function;

(2) "cost sharing" means deductibles, copayments or coinsurance; and

(3) "health care provider" means a physician, physician assistant, nurse practitioner or other health care professional authorized to furnish health care services within the scope of the professional's license."

SECTION 6. APPLICABILITY.--The provisions of this act are applicable to group health insurance policies, health care plans or certificates of health insurance that are delivered, issued for delivery or renewed in this state on or after January 1, 2026.