

Navigating the 2019 Legislature

Bills Signed by Gov. Lujan-Grisham

OUR VOICE FOR MEDICINE -

Legislative Summary 2019

The final day for Governor Michelle Lujan-Grisham to act on legislation was April 5, 2019 at 12:00 noon. Of the 308 bills passed by both chambers, 15 were vetoed, 13 pocket-vetoed, and the remaining 280 were signed into law.

NMMS followed over 100 issues this last session, including HB 629, Amendments to the Medical Malpractice Act, which was tabled in the House.

Included in the Human Services Department budget are funds for a fee increase for Medicaid primary care services, a priority not only for NMMS but for HSD Secretary David Scrase MD and the Governor as well.

Three issues “died” but received appropriations - a study on the economic feasibility of Medicaid Buy-In: (HB 416/SB 405) and of the Health Security Plan (HB 495/SB 279), and the planning phase of an all-payers claim database (HB 88/SB 101).

The following bills were on the “**rocket docket**”, bills that were passed by both chambers in 2017 but vetoed by then-Governor Martinez:

HB242- CONTACT LENS & GLASSES PRESCRIPTIONS

(Gallegos, Doreen)

SGND BY GOV (Feb. 4) Ch. 15.

House Bill 242 (HB 242) pertains to health care and limits prescribing power for contact lenses and spectacles. Criminal penalties and civil remedies are also included.

SB9 - PSYCHOLOGIST PRESCRIPTION CERTIFICATES

(Papen, Mary Kay) SGND BY GOV (Feb. 4) Ch. 19.

Senate Bill 9 (SB 9) expands who may supervise a prescribing psychologist or psychologist with a conditional prescription certificate who prescribes psychotropic medication; amends liability for supervisors; expands how such supervision can occur; and removes a requirement that these psychologists get getting prior approval for prescribing psychotropic medication.

NMMS Priority bills that were signed by Governor Lujan-Grisham:

HB256 - ADD E-CIGARETTES TO CLEAN INDOOR AIR ACT

(Ferrary, Joanne)

SGND BY GOV (Apr. 2) Ch.128.

Modifications are made to the Dee Johnson Clean Indoor Act to now include E- Cigarettes, while also removing certain definitions and restricting areas where smoking was permitted.

cs/SB188 - HEALTH INSURANCE PRIOR AUTHORIZATION ACT

(Kernan, Gay G.) SGND BY GOV (Apr. 3) Ch.187.

Senate Bill 188 (SB 188) creates the Prior Authorization Act (Act) which requires the Office of Superintendent of Insurance to standardize the prior authorization process for non-emergency medical care. SB 188 imposes requirements on health insurers and pharmacy benefit managers. This bill has reporting requirements, prohibits contractual arrangements that violate the Act, changes the Health Care Purchases Act and the Public Assistance Act, and expands the Unfair Trade Practices.

SB309 - INSURANCE ULTRASOUND AUTHORIZATIONS

(Stefanics, Elizabeth)

SGND BY GOV (Apr. 3) Ch.182.

Senate Bill 309 (SB309) relates to health insurance by prohibiting prior authorization for gynecological or obstetrical ultrasound. SB 309 contains an emergency clause.

Cs/SB337 - SURPRISE BILLING PROTECTION ACT (Lopez,

Linda)

SGND BY GOV (Apr. 3) Ch.227.

Senate Bill 337 (SB 337) enacts the Surprise Billing Protection Act which provides for protection of covered persons from unexpected billing from providers that do not participate in their health benefits plan; the bill also makes Surprise Billing an Unfair Practice, allows for a cause of action for unpaid refunds of a Surprise Billing event, and allows for the imposition of fines.

SB349 - LICENSURE FOR VISITING SPORTS PHYSICIANS

(Moores, Mark)

SGND BY GOV (Apr. 3) Ch.184.

Senate Bill 349 (SB349) relates to professional licensure by enacting new Sections of the Medical Practice Act and the Osteopathic Medicine act to provide a temporary exemption to licensure requirements to visiting physicians who provide care to out of state team members and staff during sporting events.

For information on all bills, visit www.nmlegis.gov

Thank you for your support and membership,

Sandra Whisler MD
NMMS President 2018-2019



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