New Mexico

New Mexico’s healthcare system is currently facing access issues as 1 in 3 residents is enrolled in Medicaid, the highest rate in the country. In 2014, Think New Mexico, a bipartisan group based out of Santa Fe, launched an initiative to support transparency in healthcare, proposing a law that would require hospitals to create a single price list for all payers and to forbid insurers from including price gag clauses in contracts with providers.

In the 2019 legislative term, the most notable legislation passed was the Surprise Billing Protection Act (HB 207/SB 337), which requires a provider to refund to the covered person the amount paid in excess of the in-network cost-sharing amount within forty-five calendar days of receipt of payment. Additionally, the legislature passed HB 436 to ensure insurance coverage for people with pre-existing conditions, should the protections be eliminated with the Affordable Care Act.

In the 2018 legislative term, New Mexico introduced several bills aimed at promoting price transparency and cost control. In its renewed efforts to establish an All-Payer Claims Database (APCD), the state introduced SB 191, which would appropriate funds to the Department of Health to fund planning for an APCD. A bill to create a task force to study and issue recommendations for the creation of an APCD was passed by the New Mexico legislature in 2013, but was killed by a pocket veto from Republican Governor Susana Martinez. New Mexico also introduced a legislation to establish an interagency pharmaceuticals purchasing council that would review and coordinate cost-containment strategies. Both bills failed to pass at the end of the 2018 session.