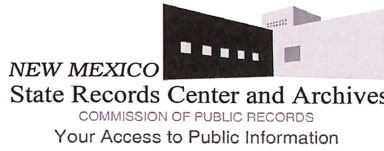


NMAC

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Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: New Amendment Repeal Emergency Renumber (ALD Use) Recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment):

Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference?
Yes No

Please list attachments or Internet sites if applicable.
https://www.apcdouncil.org/request-apcd-cdl%E2%84%A2"/>

If materials are attached, has copyright permission been received? Yes No Public domain

Specific statutory or other authority authorizing rulemaking:

Department of Health Act, Section 9-7-6 (E), NMSA 1978, Public Health Act, Section 24-1-3, NMSA 1978, and Health Information Systems Act, Sections 24-14A-3 (D)(5) and 24-14A-5, NMSA 1978.

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

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Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Please see the attached Statement of Reasons for Adoption of Proposed Violence Intervention Program Fund Rule Pursuant to the Violence Intervention Program Fund Act.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Patrick Allen


Check if authority has been delegated

Title:

Cabinet Secretary

Signature: (BLACK ink only OR Digital Signature)

Date signed:

DocuSigned by:

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04/13/2023

2023 APR 13 PM 3:39

This is an amendment to 7.1.31 NMAC, Section 9, effective 4/25/2023.

7.1.31.9 SUBMISSION OF CLAIMS DATA TO DATABASE:

A. All-payer claims database data providers:

(1) Data providers must submit all available data and health information with necessary identifiers to the database as described in the APCD-Common Data Layout (APCD-CDL™, Version [1-1] 2.1 with errata, Copyright [2018-2020] 2021 by APCD Council, National Association of Health Data Organizations, the University of New Hampshire) within the time frames in this rule and in accordance with procedures established herein.

(2) Any data provider used by an entity that participates in the database such as a third-party administrator or pharmacy benefit manager must provide claims data to the department or the data vendor upon request of the entity.

(3) The following plans or entities may voluntarily provide claims data to the database within the time frames and in accordance with procedures established by the department:

(a) Employer sponsored plans subject to the Employee Retirement Income Security Act of 1974; and

(b) any governmental or tribal program or facility that provides health care services to American Indians and Alaska Natives.

(4) Health insurance carriers that only offer the following excepted benefit coverages are not required to report:

- (a) specific disease;
- (b) accident or injury;
- (c) hospital indemnity and other fixed indemnity;
- (d) disability;
- (e) long-term care; and
- (f) vision coverage.

(5) ~~[Centennial-care]~~ Medicaid managed care organizations provide claims data to the New Mexico human services division (HSD), and who will then submit that data to the department of health.

(6) Health insurance carriers covering less than 500 individuals are not required to submit files to the database but are required to report the number of individuals with coverage during the previous year on March 1st.

B. Data submission procedures:

(1) The department shall:

(a) utilize an internet-based user interface (or similar technology) that allows for secure submission and acceptance of data submissions;

(b) perform quality assurance and validation of all submitted data and provide feedback to the data providers; and

(c) provide data submissions procedures to data providers in a data submission guide that is based on a current version of the APCD-Common Data Layout.

(2) Data submission frequency: data shall be submitted at least monthly.

(3) Data providers shall make every effort to initially submit complete, accurate, and valid data in the APCD-Common Data Layout and shall correct all identified errors within the timelines established by the department or its designee.

(4) An initial test submission of data may be required.

(5) Data dating to January 1, [2019] 2020 must be submitted initially.

(6) The department may sanction data providers who do not comply with this rule.

(7) Data shall be submitted beginning January 1, [2022] 2023.

[7.1.31.9 NMAC - N, 04/20/2021; A, 4/25/2023]