



**Patrick Sandoval**  
Interim Executive Director

# NEW MEXICO PUBLIC SCHOOLS INSURANCE AUTHORITY

## Office of Executive Director

410 Old Taos Highway  
Santa Fe, New Mexico 87501  
1-800-548-3724 or 505-988-2736  
505-983-8670 (fax)

### BOARD OF DIRECTORS

- NM School Boards Association
- NM Superintendents Association
- Public Education Commission
- NM School Administrators
- NM National Education Association
- American Federation of Teachers N.M.
- Governor Appointees
- Educational Institutions at Large

December 28, 2021

Dear NMPSIA Members,

Senate Bill 317 (SB317), titled "No Behavioral Health Cost Sharing," was signed into law by Governor Michelle Lujan Grisham on April 8, 2021. The Bill will become effective January 1, 2022. SB317 prohibits member cost sharing for behavioral health ("BH") services covered by any health care plan. Below are services relating to Professional, Outpatient, Inpatient, Ancillary, and Prescription Drugs where members should not incur a cost.

### Professional Services

- Professional services provided by a BH provider, except when delivered in an emergency room or urgent-care center.
- Services provided by a primary care provider when a BH diagnosis is the 1<sup>st</sup> or 2<sup>nd</sup> current procedural terminology (cpt) code on the claim.

### Outpatient Facility Services

- Outpatient services, including professional services, delivered in a BH facility.
- Outpatient services, including professional services, delivered in a non-BH facility, if the attending provider is a BH provider.
- Non-emergency room and non-urgent care center outpatient services, including professional services, delivered in a non-BH facility, by a non-BH provider, when a BH diagnosis is the 1<sup>st</sup> or 2<sup>nd</sup> cpt code on the claim.
- Transcranial magnetic stimulation treatment services and electroconvulsive therapy services, including professional services.

### Inpatient Facility Services

- Inpatient services, including professional services, delivered in a BH hospital or in the BH department of a general acute care hospital.
- Inpatient services, including professional services, delivered in a residential treatment center.
- Inpatient services, including professional services, delivered in a general acute care hospital when the attending provider is a BH provider.
- Detoxification services, including professional services, delivered in a BH hospital, a general acute care hospital, or a residential treatment center.
- Transcranial magnetic stimulation treatment services and electroconvulsive therapy services, including professional services.

**Ancillary Services**

- Clinical laboratory services, radiology services and other imaging services when the ordering provider is a BH provider.
- Clinical laboratory services, radiology services and other imaging services when the ordering provider is not a BH provider, or when the ordering provider information is not present on the claim, but a BH diagnosis code is 1<sup>st</sup> or 2<sup>nd</sup> cpt code on the claim.

**Prescription Drugs**

- A prescription drug covered on the NMPSIA 2022 Express Scripts National Preferred Formulary or authorized by the plan when the drug is in a USP therapeutic category and class combination.
- Special considerations apply for the off-label use of drugs for the treatment of BH conditions. If the prescriber is a BH provider, the drug is to be considered a BH drug.
- Cost-sharing may be applied to non-BH drugs if the prescriber is not a BH provider.

If you have one of the BH services described above covered by any of our health care plans, and incur a cost, please contact your insurance carrier or the New Mexico Public Schools Insurance Authority (NMPSIA) office to determine if the cost is applicable under SB317. If the incurred cost is applicable, members will be reimbursed their cost share for services and/or prescribed medication. An exception may be granted to prohibit the cost share for future services or medications depending on the service or prescribed medication.

Sincerely,

NMPSIA Benefits