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New Mexico Register

The official publication for all official notices of rulemaking
and filing of proposed, adopted and emergency rules.

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The New Mexico Register

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New Mexico Register

Volume XXXV, Issue 17

September 10, 2024

Table of Contents

Notices of Rulemaking and Proposed Rules

PUBLIC REGULATION COMMISSION	
Notice of Proposed Rulemaking (DOCKET NO. 22-00140-UT).....	2044
REGULATION AND LICENSING DEPARTMENT	
PHARMACY, BOARD OF	
Notice of Regular Board Meeting and Rule Hearing.....	2044
RESPIRATORY CARE PRACTITIONERS, BOARD OF	
Notice of Public Rule Hearing and Board Meeting.....	2046
WORKERS' COMPENSATION ADMINISTRATION	
Notice of Proposed Rulemaking.....	2047

Adopted Rules

A = Amended, E = Emergency, N = New, R = Repealed, Rn = Renumbered

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT		
ENERGY CONSERVATION AND MANAGEMENT DIVISION		
3.3.37 NMAC	N	Personal Income Taxes - Clean Car Charging Unit Tax Credit.....2048
3.4.24 NMAC	N	Corporate Income Taxes - Clean Car Charging Unit Tax Credit.....2051
SUPERINTENDENT OF INSURANCE, OFFICE OF		
13.2.12 NMAC	N	Health Care Consolidation Oversight.....2054
13.1.4 NMAC	A	Public Rule Hearings.....2057
13.21.3 NMAC	A	Procedural Rules for Public Rule Hearings.....2059

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Notices of Rulemaking and Proposed Rules

**PUBLIC REGULATION
COMMISSION
DEPARTMENT**

**NOTICE OF PROPOSED
RULEMAKING
DOCKET NO. 22-00140-UT**

The New Mexico Public Regulation Commission (“Commission”) hereby gives notice of its initiation of a proposed rulemaking to adopt a new rule at Title 17, Chapter 9, Part 571 of the New Mexico Administrative Code entitled “Renewable Energy For Rural Electric Cooperatives.”

Summary of the full text of the proposed rule and short explanation of its purpose: The Commission proposes to issue a new rule related to renewable energy for rural electric cooperatives, containing provisions for the renewable portfolio standard, zero carbon resource standard, and data reporting. On May 4, 2021, amendments to Rule 572, which removed renewable energy provisions relating to rural electric cooperatives, became effective. Since May 4, 2021, the Commission has not had comparable rules.

Legal authority authorizing the proposed rule and the adoption of the rule: The Commission has the authority to promulgate and adopt the Proposed Rule pursuant to the Rural Electric Cooperative Act, NMSA 1978, Sections 62-15-1 to -37 (1953, as amended through 2021) and the Renewable Energy Act (“REA”), NMSA 1978, Section 62-16-8 (2019).

How a copy of the full text of the proposed rule can be obtained: A copy of the full text of the proposed rule and instructions for accessing the complete rulemaking record can be obtained from the rulemaking page on the Commission’s website at <https://www.nm-prc.org/rulemaking-proceedings/> or by emailing Robert Lundin of the Office of General Counsel at Robert.Lundin@prc.nm.gov.

How a person can comment on the proposed rule, where comments will be received and when comments are due: Any person wishing to comment on the Proposed Rules may do so by submitting written initial comments no later than **October 25, 2024**, and written response comments no later than **November 8, 2024**. Comments can be electronically filed by sending them in PDF format to prc.records@state.nm.us. Comments must refer to Docket No. 22-00140-UT. All written comments will be posted on the Commission’s website within three days of their receipt by the records bureau. The record closure date for this proceeding is **December 5, 2024**. From that date through the completion of this proceeding, rulemaking participants will be forbidden from communicating with the Commission or its representatives concerning substantive issues in this proceeding.

When and where a public rule hearing will be held and how a person can participate in the hearing: A public hearing on the Proposed Rule and any additional issues to be addressed in formal comment process, to be presided over by the Commission or its designee, shall be held beginning at **10:00 a.m. on November 21, 2024**.

Any interested person or entity may make oral comment in-person, via the Zoom app, or by telephone. Persons making oral public comments in person do not need to sign up in advance but do need to sign in by hand on the sign-up sheet at 142 W Palace Santa Fe, NM 87505. Individuals wishing to comment by Zoom or telephone must sign up by contacting Patrick Rodriguez at public.comment@prc.nm.gov or (505) 490-7910 as soon as possible before the start of the meeting. When sending an email to sign up for public comment please identify the name of the commentator(s), the name of the entity they represent (if any), and the topic or issue on which they desire to comment. If a speaker is not present at the time he or she is called to provide comment, that

speaker shall forfeit their opportunity to speak. Public comment by an individual or entity shall be limited to no more than three (3) minutes unless the Commission acts to extend the period. Individuals represented by or representing a common entity may be asked to select one individual to act as spokesperson to speak for the group. Individuals who sign up to comment, but either fail to do so or choose to speak for less than their allotted time, may not cede or yield their time to another speaker. The subject matter of public comments shall be relevant to matters within the Commission’s jurisdiction. Public comment by parties to a proceeding or adjudication pending before the Commission shall not be permitted where the comment concerns matters at issue in such proceeding.

Technical information that served as a basis for the proposed rule and how the information can be obtained: None.

**REGULATION
AND LICENSING
DEPARTMENT
PHARMACY, BOARD OF**

**NOTICE OF REGULAR BOARD
MEETING AND RULE HEARING**

The New Mexico Board of Pharmacy will convene on October 17th and 18th, 2024 at 9:00 a.m. and continue until finished in the Board of Pharmacy Conference Room located at 5500 San Antonio Dr., NE, Albuquerque, NM 87109 for the purpose of conducting a regular board meeting and rule hearing.

The agenda is posted 72 hours prior to the scheduled meeting. You may view and download a copy of the agenda through the board’s website: <https://www.rld.nm.gov/boards-and-commissions/individual-boards-and-commissions/pharmacy/pharmacy-board-information/pharmacy-board-meetings/>. All proposed language regarding rule hearings is linked to

the *Agenda*, the *Notice to the Public* on our website and the *New Mexico Sunshine Portal*.

Individuals petitioning the board regarding requests/waivers must submit documentation for presentation; via fax (505) 222-9845, mail or email to the Board Administrator, at the general e-mail pharmacy.board@rld.nm.gov at least one week in advance of the scheduled meeting.

Interested persons wishing to comment on proposed language regarding rule hearings may submit documentation for presentation prior to the hearing; via fax (505) 222-9845, mail or email to the Board Administrator, at the general e-mail pharmacy.board@rld.nm.gov in advance of the scheduled meeting. Public comment is also allowed during the rule hearing.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service, or if you are in need of a translator to attend or participate in the hearing or meeting, please contact Board Administrator at 505-222-9830 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Board Administrator at 505-222-9830 or e-mail pharmacy.board@rld.nm.gov if a summary or other type of accessible format is needed.

Short explanation of the Purpose of Proposed Rule Amendments: see below.

The rule hearing is scheduled for October 17th, 2024, at 9:10 a.m.

16.19.4 NMAC – PHARMACIST – Sections 7 and 9 – add standard of care to definitions and add failure to meet standard of care to definition of unprofessional or dishonorable conduct. As proposed, “Standard of care” means care provided by a

licensee that is within the accepted standard of care that would be provided in a same or similar setting by a reasonably competent and prudent licensee or registrant with similar education, training, and experience. The proposed change will enable the board to regulate based on a contemporary construct consistent with advances in the practice of pharmacy, rather than circumstance-specific rules.

STATUTORY AUTHORITY:
Paragraph (1) of Subsection A of Section 61-11-6 NMSA, 1978 authorizes the board of pharmacy to adopt, regularly review and revise rules and regulations necessary to carry out the provisions of the Pharmacy Act, Sections 61-11-1, 61-11-2, 61-11-4 to 61-11-28 NMSA 1978. Those provisions include the authority to:

A. deny or take disciplinary action with respect to any certificate of registration or license held or applied for under the Pharmacy Act, Section 61-11-20 NMSA 1978;

B. require and establish criteria for continuing education as a condition of renewal of a pharmacist license, Paragraph (4) of Subsection A of Section 61-11-6 NMSA 1978;

C. issue permits or licenses, as defined and limited by board regulation, to nursing homes, industrial and public health clinics and home care services, Paragraph (6) of Subsection A of Section 61-11-6 and 61-11-14 NMSA 1978;

D. provide for the issuance and renewal of licenses for pharmacists, Paragraph (3) of Subsection A of Section 61-11-6, and 61-11-13 NMSA 1978;

E. provide for the registration of pharmacist interns, their certification, annual renewal of certification, training, supervision, and discipline, Paragraph (5) of Subsection A of Section 61-11-6 NMSA 1978; and

F. adopt rules and regulations that establish patient counseling requirements, Paragraph

(18) of Subsection A of 61-11-6 NMSA 1978. Under the Pharmacist Prescriptive Authority Act, Sections 61-11B-1 to 61-11B-3 NMSA 1978, the board is required to establish regulations governing certification as a pharmacist clinician. The Impaired Pharmacists Act, Sections 61-11A-1 to 61-11A-8 NMSA 1978, requires the establishment by the board of a plan for treatment and rehabilitation of impaired pharmacists. Subsection B of Section 61-1-36 NMSA 1978 authorizes the board of pharmacy to promulgate rules relating to listing specific criminal convictions that could disqualify an applicant from receiving a license on the basis of a previous felony conviction. Subsection B of Section 28-2-3 NMSA 1978 prohibits the board of pharmacy from considering certain criminal records to be used, distributed or disseminated in connection with an application for a license. Section 28-2-4 NMSA 1978 authorizes the board of pharmacy the power to refuse to grant or renew, or suspend or revoke a license where the applicant or licensee has been convicted of a felony and the criminal conviction directly relates to the particular profession and other convictions specified.

Disciplinary Hearing(s):
October 17th, 1:30 p.m.: Laura Bellew CS00214394, case 2023-064, Order to Show Cause
October 17th, 1:45 p.m.: Colleen Persson PT00003846, case 2024-014
October 18th, 9:05 a.m.: Bestcare Angel Fire: PH4273 NMCSR: CS223295; Bestcare Deming: PH4510 NMCSR: CS225075; Bestcare Springer: PH4337 NMCSR: CS224054; Bestcare Mora: PH4422 NMCSR: CS224454; Bestcare Chama: PH4469 NMCSR: CS224747; Bestcare Questa: PH4237 NMCSR: CS223136; Bestcare Lordsburg: PH4387, NMCSR: CS224297, 2022-048

If additional scheduling occurs, the final hearing date and time for each case will be included in the agenda posted to the board’s website at least

72 hours before the meeting.

Executive Director’s Report:

Published in NM Register:

September 10, 2024

Published in Albuquerque Journal:

September 10, 2024

**REGULATION
AND LICENSING
DEPARTMENT
RESPIRATORY CARE
PRACTITIONERS, BOARD OF**

**NOTICE OF REGULAR BOARD
MEETING AND RULE HEARING**

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16.19.4 NMAC – PHARMACIST – Sections 7 and 9 – add standard of care to definitions and add failure to meet standard of care to definition of unprofessional or dishonorable conduct. As proposed, “Standard of care” means care provided by a licensee that is within the accepted standard of care that would be provided in a same or similar setting by a reasonably competent and prudent licensee or registrant with similar education, training, and experience. The proposed change will enable the board to regulate based on a contemporary construct consistent with advances in the practice of pharmacy, rather than circumstance-specific rules.

STATUTORY AUTHORITY: Paragraph (1) of Subsection A of Section 61-11-6 NMSA, 1978 authorizes the board of pharmacy to adopt, regularly review and revise rules and regulations necessary

to carry out the provisions of the Pharmacy Act, Sections 61-11-1, 61-11-2, 61-11-4 to 61-11-28 NMSA 1978. Those provisions include the authority to:

- A. deny or take disciplinary action with respect to any certificate of registration or license held or applied for under the Pharmacy Act, Section 61-11-20 NMSA 1978;
- B. require and establish criteria for continuing education as a condition of renewal of a pharmacist license, Paragraph (4) of Subsection A of Section 61-11-6 NMSA 1978;
- C. issue permits or licenses, as defined and limited by board regulation, to nursing homes, industrial and public health clinics and home care services, Paragraph (6) of Subsection A of Section 61-11-6 and 61-11-14 NMSA 1978;
- D. provide for the issuance and renewal of licenses for pharmacists, Paragraph (3) of Subsection A of Section 61-11-6, and 61-11-13 NMSA 1978;
- E. provide for the registration of pharmacist interns, their certification, annual renewal of certification, training, supervision, and discipline, Paragraph (5) of Subsection A of Section 61-11-6 NMSA 1978; and
- F. adopt rules and regulations that establish patient counseling requirements, Paragraph (18) of Subsection A of 61-11-6 NMSA 1978. Under the Pharmacist Prescriptive Authority Act, Sections 61-11B-1 to 61-11B-3 NMSA 1978, the board is required to establish regulations governing certification as a pharmacist clinician. The Impaired Pharmacists Act, Sections 61-11A-1 to 61-11A-8 NMSA 1978, requires the establishment by the board of a plan for treatment and rehabilitation of impaired pharmacists. Subsection B of Section 61-1-36 NMSA 1978 authorizes the board of pharmacy to promulgate rules relating to listing specific criminal convictions that could disqualify an applicant from receiving a license on the basis of a previous felony conviction.

Subsection B of Section 28-2-3 NMSA 1978 prohibits the board of pharmacy from considering certain criminal records to be used, distributed or disseminated in connection with an application for a license. Section 28-2-4 NMSA 1978 authorizes the board of pharmacy the power to refuse to grant or renew, or suspend or revoke a license where the applicant or licensee has been convicted of a felony and the criminal conviction directly relates to the particular profession and other convictions specified.

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Executive Director’s Report:

Published in NM Register:
September 10, 2024
Published in Albuquerque Journal:
September 10, 2024

**WORKERS’
COMPENSATION
ADMINISTRATION**
**NOTICE OF PROPOSED
RULEMAKING**

The New Mexico Workers’
Compensation Administration

(“WCA”) will conduct an in-person public hearing on the adoption of new WCA Rules on:

Friday, October 18, 2024, 1:30 p.m., Workers’ Compensation Administration, 2410 Centre Avenue SE, Albuquerque, NM 87106.

A copy of the proposed changes may be found on the WCA website at: <http://www.workerscomp.nm.gov/>. For a copy by e-mail, contact the WCA General Counsel Office at gc.clerk@state.nm.us. For a copy by mail, please submit a self-addressed, stamped envelope with your request to WCA General Counsel Office, 2410 Centre Ave. SE, Albuquerque, NM 87106. Comments should be sent to WCA General Counsel Office, 2410 Centre Ave. SE, Albuquerque, NM 87106 or gc.clerk@state.nm.us.

Comments may be made at the public hearing and written comments will be accepted until 5:00pm on November 1, 2024. The Director will take all comments into consideration.

Purpose and summary of the Proposed Rule:

The WCA is proposing to amend its rules regarding Part 2, Data Reporting and Safety Requirements (minor/technical changes only); Part 3, Payment of Claims, Post-Accident Drug and Alcohol Testing, and Conduct of Parties (timing requirement added regarding employer’s communicating to worker denial of claim, increasing mileage benefits for travel to medical appointments, limiting WCA medical authorization form to 10 years absent court order); Part 4, Claims Resolution (adding concept of limited independent medical exam, providing hearing procedures for disputes, providing time limits on depositions, adding sanction authority for unreasonable conduct during deposition, granting authority for judge to require language translation of written discovery, adding new provision on court security); Part 7, Payments for Health Care Services (imposing late payment charge on

payors who miss 30-day deadline to pay or deny a provider’s medical bill, including permissible grounds to deny payment of a medical bill by reference to the WCA fee schedule, clarifying allowable reimbursements for health care provider dispensed prescriptions, raising permitted deposition charges for health care providers); Part 11, Proof of Coverage (new provision conforming rule to existing practice of allowing proof of coverage electronic transmission to WCA vendor).

All proposed rules will take effect January 1, 2025.

The Director of the WCA has authority to adopt reasonable rules pursuant to Section 52-5-4 NMSA 1978 (2003).

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aide or service to attend or attend or participate in the hearing or meetings, please contact the General Counsel Office at gc.clerk@state.nm.us. Or you may inquire about assistance through the New Mexico relay network at 1-800-659-1779 or <https://sharenm.org/relay-new-mexico>.

**End of Notices of
Rulemaking and
Proposed Rules**

Adopted Rules

Effective Date and Validity of Rule Filings

Rules published in this issue of the New Mexico Register are effective on the publication date of this issue unless otherwise specified. No rule shall be valid or enforceable until it is filed with the records center and published in the New Mexico Register as provided in the State Rules Act. Unless a later date is otherwise provided by law, the effective date of the rule shall be the date of publication in the New Mexico Register. Section 14-4-5 NMSA 1978.

**ENERGY, MINERALS
AND NATURAL
RESOURCES
DEPARTMENT
ENERGY CONSERVATION
AND MANAGEMENT
DIVISION**

**TITLE 3 TAXATION
CHAPTER 3 PERSONAL
INCOME TAXES
PART 37 CLEAN CAR
CHARGING UNIT PERSONAL
INCOME TAX CREDIT**

3.3.37.1 ISSUING
AGENCY: Energy, Minerals and Natural Resources Department, Energy, Conservation and Management Division.
[3.3.37.1 NMAC - N, 9/10/2024]

3.3.37.2 SCOPE: 3.3.37 NMAC applies to the application and certification procedures for administration of the clean car charging unit personal income tax credit.
[3.3.37.2 NMAC - N, 9/10/2024]

3.3.37.3 STATUTORY
AUTHORITY: 3.3.37 NMAC is established under the authority of Section 7-2-18.37 NMSA 1978.
[3.3.37.3 NMAC - N, 9/10/2024]

3.3.37.4 DURATION:
Permanent.
[3.3.37.4 NMAC - N, 9/10/2024]

3.3.37.5 EFFECTIVE
DATE: September 10, 2024, unless a later date is cited at the end of a section.
[3.3.37.5 NMAC - N, 9/10/2024]

3.3.37.6 OBJECTIVE:
3.3.37 NMAC's objective is to establish procedures for administering the certification program for the clean

car charging unit personal income tax credit.
[3.3.37.6 NMAC - N, 9/10/2024]

3.3.37.7 DEFINITIONS:
For additional definitions see Section 7-2-18.37 NMSA 1978.

A. "Applicant" means a New Mexico taxpayer that has purchased and installed an electric vehicle charging unit or fuel cell charging unit in New Mexico.

B. "Application package" means the application documents an applicant submits to the department for certification to receive a state tax credit.

C. "Certified" or "certification" means department approval of an electric vehicle charging unit or fuel cell charging unit, which makes the applicant owning the system eligible for a state tax credit.

D. "Department" means the energy, minerals and natural resources department.

E. "Division" means the department's energy conservation and management division.

F. "National Electrical Code" (NEC), or NFPA 70, is a regionally adoptable standard for the safe installation of electrical wiring and equipment in the United States.

G. "NRTL" means nationally recognized testing laboratory which is an independent third-party organization recognized by the occupational safety & health administration (OSHA) that provides evaluation, testing and certification of products to ensure they meet the requirements of both the construction and general industry OSHA electrical standards.

H. "OpenADR" means open automated demand

response, a highly secure, and two-way information exchange model and smart grid standard.

I. "Open charge point protocol" (OCPP) is an open-source communication standard for electric vehicle charging stations and network software companies.

J. "Wi-Fi" is a wireless networking technology that uses radio waves to provide wireless high-speed internet access.
[3.3.37.7 NMAC - N, 9/10/2024]

3.3.37.8 GENERAL PROVISIONS:

A. The state tax credit may be claimed for taxable years after January 1, 2024, and prior to January 1, 2030.

B. The tax credit provided by this section may be referred to as the clean car charging unit personal income tax credit.

C. One tax credit shall be certified per taxpayer per taxable year for a direct current fast charger or a fuel cell charging unit.

D. A taxpayer who claimed the 2021 sustainable building tax credit for expenses of purchasing or installing an electric vehicle charging unit or fuel cell charging unit shall not be eligible to claim the tax credit.

E. A taxpayer who is not a dependent of another individual and who, beginning on May 15, 2024, and prior to January 1, 2030, purchases and installs an electric vehicle charging unit or fuel cell charging unit in New Mexico may be eligible to claim a clean car charging unit personal income tax credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act.

F. A taxpayer may be allocated the right to claim the tax

credit in proportion to the taxpayer's ownership.

G. If a New Mexico taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all requirements to be eligible for the credit, that taxpayer may be allocated the right to claim the tax credit in proportion to the taxpayer ownership interest.

H. The total credit claimed by all members of the partnership or limited liability company shall not exceed the allowable credit the department has certified.

I. In the event of a discrepancy between a requirement of 3.3.37 NMAC and an existing New Mexico regulation and licensing department or New Mexico taxation and revenue department rule promulgated prior to the adoption of 3.3.37 NMAC, the existing rule shall govern. [3.3.37.8 NMAC - N, 9/10/2024]

3.3.37.9 TAX CREDIT ADMINISTRATION:

A. A taxpayer may apply for a clean car income tax credit from the energy, minerals, and natural resources department on an electronic form and in the manner prescribed by that department. The department will not accept paper applications or applications submitted by e-mail unless specifically authorized by the division.

B. An application package for a clean car charging unit shall include a completed clean car charging unit personal income tax credit electronic application and all required documents attachments.

(1) Partial applications will not be accepted.

(2) After the department has certified an application, applicants may not amend the certified application package to seek additional credits for that charging unit.

(3) If there are multiple owners of a clean car motor

vehicle charging unit, they must submit a joint application.

C. If the energy, minerals, and natural resources department determines that the taxpayer meets the requirements for a clean car charging unit tax credit, the department shall issue a certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable year in which the credit may be claimed.

(1) If an inspection is required for the charger, the final passing inspection date will determine tax year eligibility.

(2) If an inspection is not required for the charger, the date of purchase or installation will determine tax year eligibility, whichever comes later. [3.3.37.9 NMAC - N, 9/10/2024]

3.3.37.10 APPLICATION REQUIREMENTS

A. The state tax credit is available for purchase and installation of a clean car charging unit designed for charging electric vehicles, plug-in hybrid electric vehicles or fuel cell vehicles purchased and installed between May 15, 2024, and January 1, 2030.

B. Applications for the state tax credit shall be made no later than one year from the date the charging unit is purchased or, if the unit is installed, the installation date.

C. The application package shall meet 3.3.37 requirements. If an application package fails to meet a requirement, the department shall disapprove the application. [3.3.37.10 NMAC - N, 9/10/2024]

3.3.37.11 APPLICATION:

A. An applicant may apply for a New Mexico clean car charging unit personal income tax credit by submitting an application for a certificate of eligibility to the division using a department-developed application or an approved electronic application system.

B. To be considered complete, an application must include

the state tax credit application and any required attachments.

C. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the tax credit that would have been claimed on a joint return.

D. The completed application shall consist of the following:

(1) The applicant's name, mailing address, e-mail address, county of installation, telephone number and last four of applicant's social security number or employer identification number (EIN) provided by a business applicant.

(2) The address where the clean car charging unit is located.

(3) Name of the electric utility service provider for that address.

(4) Whether the clean car charging unit is for private or public use.

(5) Total purchase price and price of any labor to install the operating clean car charging unit.

(6) If applicable, the date the charging unit received a successful electrical inspection.

(7) The charging unit specification sheet and description.

(a) A charging unit specification sheet must specify the connector type(s), plug type(s), manufacturer, model, serial number, voltage, and amperage, of the electric vehicle charging unit, and whether the current is alternating or direct.

(b) For a fuel cell charging unit, technical specifications on the fuel dispensing unit and fuel storage system, including information about operational pressures of the fuel cell charging unit.

(8) A statement the applicant signed and dated, which may be a form of electronic signature if approved by the department, agreeing:

(a) all information provided in the application package is true and correct to the best of the applicant’s knowledge;

(b) the applicant has read the certification requirements contained in 3.3.37 NMAC;

(c) the applicant understands that the department must certify the clean car charging unit documents in the application package before the applicant becomes eligible for a state tax credit;

(d) a taxpayer who received the 2021 sustainable building tax credit for expenses of purchasing or installing an electric vehicle charging unit or fuel cell charging unit shall not be eligible to claim the tax credit, and;

(e) the clean car charging unit was installed in full compliance with all applicable federal, state, and local government statutes, ordinances, rules, regulations, codes and standards that were in effect at the time of installation.
[3.3.37.11 NMAC - N, 9/10/2024]

3.3.37.12 APPLICATION ATTACHMENTS:

A. An application for a clean car charging unit personal income tax credit shall contain the following information as attachments:

- (1) proof of clean car charging unit purchase;
- (2) post-installation digital photo of operating clean car charging unit;
- (3) clean car charging unit specification sheet;

(a) a charging unit data sheet must specify the connector type(s), plug type(s), manufacturer, model, serial number, voltage, and amperage of the electric vehicle charging unit, and whether the electrical current is alternating or direct;

(b) a fuel cell charging unit must specify technical specifications on the fuel dispensing unit and fuel storage

system, including information about operational pressures of the fuel cell charging unit’ and;

(c) the specification sheet must match the charging unit submitted for the tax credit;

(4) A copy of any applicable building code authority inspections, including permit number, issuance date, and date of inspection, noted on a physical form, or a photo of inspection sticker or a web-based report approved by the applicable building code authority, or similar document if applicable;

(5) Any additional information the energy, minerals and natural resources department may require to determine tax credit eligibility.
[3.3.37.12 NMAC - N, 9/10/2024]

3.3.37.13 APPLICATION REVIEW PROCESS:

A. The department shall consider complete applications in the order received.

B. The department shall review the application package to check the accuracy of the applicant’s documentation, determine whether the department shall certify the clean car charging unit and calculate the amount of the state tax credit.

(1) The department shall disapprove an application that is not complete, correct, or does not meet the approval criteria.

(2) Duplicate applications or multiple submissions for the same project will be rejected.

C. If the department finds the application package meets the requirements of 3.3.37, and a state tax credit is available, the department shall certify the applicant’s claim for clean car charging unit.

D. If applicable, the department’s disapproval notification shall state the reasons why the department disapproved the application. The applicant may resubmit a corrected electronic application package for a disapproved project, and it shall be placed at the

beginning of the queue and reviewed as if it were a new application.
[3.3.37.13 NMAC - N, 9/10/2024]

3.3.37.14 CLEAN CAR CHARGING UNIT REQUIREMENTS:

A. A direct current fast charger must provide at least 50 kilowatts of direct current electrical power for charging an electric vehicle through a connector based on fast charging equipment standards and is approved for installation for that purpose under the National Electrical Code through an underwriter’s laboratories certification or an equivalent certifying organization.

B. An electrical vehicle charger used to provide electricity to an electric vehicle or plug-in hybrid electric vehicle must be designed to create a connection between an electricity source and the electric vehicle or plug-in hybrid vehicle; and uses the electric vehicle’s control system to ensure that electricity flows at an appropriate voltage and current level.

C. A fuel cell charging unit is a facility or unit that dispenses liquefied or compressed hydrogen for fuel cell vehicle refueling and is approved for installation for that purpose under applicable codes and compliant with the requirements of applicable certifying organizations.

D. The clean car charging unit must be made of new equipment, components, and materials to be eligible for a tax credit.

E. Charging unit equipment must meet the following requirements:

(1) Charging software is able to connect to OpenADR or OCPP.

(2) Charging unit can connect to Wi-Fi or wireless networking technology.

(3) Charging unit is a ‘Listed’ or ‘Recognized’ product under the production control of the issuing NRTL.

[3.3.37.14 NMAC - N, 9/10/2024]

3.3.37.15 CALCULATING THE STATE TAX CREDIT:

A. The tax credit is limited to the purchase and the installation labor cost for the clean car charging unit, whichever is less.

B. The amount of tax credit shall be:

(1) for a direct current fast charger or fuel cell charging unit, \$25,000 or the cost to purchase and install the direct current fast charger or fuel cell charging unit, whichever is less;

(2) for all other electric vehicle charging units, \$400 or the cost to purchase and install the electric vehicle charging unit, whichever is less.

[3.3.37.15 NMAC - N, 9/10/2024]

3.3.37.16 CERTIFICATION:

A. The energy, minerals and natural resources department shall provide the applicant with the certificate of eligibility in an electronic format.

B. The department provides certification through electronic notification to the applicant. The notification shall include the applicant’s contact information, last four digits of the social security number or EIN, clean car charging unit certification number and the state tax credit amount.

C. If, after the department has issued a certification, any of the requirements are found to be insufficient, the department may rescind the certification.

[3.3.37.16 NMAC - N, 9/10/2024]

3.3.37.17 CLAIMING THE STATE TAX CREDIT:

A taxpayer who has received certificate of eligibility to claim the tax credit must apply to the taxation and revenue department and shall provide the taxation and revenue department with a copy of the certification of eligibility in manner and within a timeframe prescribed by the taxation and revenue department.

[3.3.37.17 NMAC - N, 9/10/2024]

HISTORY OF 3.3.37 NMAC: [RESERVED]

**ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
ENERGY CONSERVATION AND MANAGEMENT DIVISION**

**TITLE 3 TAXATION
CHAPTER 4 CORPORATE INCOME TAXES
PART 24 CLEAN CAR CHARGING UNIT CORPORATE INCOME TAX CREDIT**

3.4.24.1 ISSUING AGENCY: Energy, Minerals and Natural Resources Department, Energy, Conservation and Management Division.
[3.4.24.1 NMAC - N, 09/10/2024]

3.4.24.2 SCOPE: 3.4.24 NMAC applies to the application and certification procedures for administration of the clean car charging unit corporate income tax credit.
[3.4.24.2 NMAC - N, 09/10/2024]

3.4.24.3 STATUTORY AUTHORITY: 3.4.24 NMAC is established under the authority of Section 7-2A-19.02 NMSA 1978.
[3.4.24.3 NMAC - N, 09/10/2024]

3.4.24.4 DURATION: Permanent.
[3.4.24.4 NMAC - N, 09/10/2024]

3.4.24.5 EFFECTIVE DATE: September 10, 2024, unless a later date is cited at the end of a section.
[3.4.24.5 NMAC - N, 09/10/2024]

3.4.24.6 OBJECTIVE: 3.4.24 NMAC’s objective is to establish procedures for administering the certification program for the clean car charging unit corporate income tax credit.
[3.4.24.6 NMAC - N, 09/10/2024]

3.4.24.7 DEFINITIONS: For additional definitions see Section 7-2A-19.02 NMSA 1978.

A. “Applicant” means

a New Mexico taxpayer that has purchased and installed an electric vehicle charging unit or fuel cell charging unit in New Mexico.

B. “Application package” means the application documents an applicant submits to the department for certification to receive a state tax credit.

C. “Certified” or “certification” means department approval of an electric vehicle charging unit or fuel cell charging unit, which makes the applicant owning the system eligible for a state tax credit.

D. “Department” means the energy, minerals and natural resources department.

E. “Division” means the department’s energy conservation and management division.

F. “National Electrical Code” (NEC), or NFPA 70, is a regionally adoptable standard for the safe installation of electrical wiring and equipment in the United States.

G. “NRTL” means nationally recognized testing laboratory which is an independent third-party organization recognized by the occupational safety & health administration (OSHA) that provides evaluation, testing and certification of products to ensure they meet the requirements of both the construction and general industry OSHA electrical standards.

H. “OpenADR” means open automated demand response, a highly secure, and two-way information exchange model and smart grid standard.

I. **Open Charge Point Protocol (OCPP)** is an open-source communication standard for electric vehicle charging stations and network software companies.

J. “Wi-Fi” is a wireless networking technology that uses radio waves to provide wireless high-speed internet access.
[3.4.24.7 NMAC - N, 09/10/2024]

3.4.24.8 GENERAL PROVISIONS:

A. The state tax credit

may be claimed for taxable years after January 1, 2024, and prior to January 1, 2030.

B. The tax credit provided by this section may be referred to as the clean car charging unit corporate income tax credit.

C. One tax credit shall be certified per taxpayer per taxable year for a direct current fast charger or a fuel cell charging unit.

D. A taxpayer who claimed the 2021 sustainable building tax credit for expenses of purchasing or installing an electric vehicle charging unit or fuel cell charging unit shall not be eligible to claim the tax credit.

E. A taxpayer who is not a dependent of another individual and who, beginning on May 15, 2024, and prior to January 1, 2030, purchases and installs an electric vehicle charging unit or fuel cell charging unit in New Mexico may be eligible to claim a clean car charging unit corporate income tax credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act.

F. A taxpayer may be allocated the right to claim the tax credit in proportion to the taxpayer's ownership.

G. If a New Mexico taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all requirements to be eligible for the credit, that taxpayer may be allocated the right to claim the tax credit in proportion to the taxpayer ownership interest.

H. The total credit claimed by all members of the partnership or limited liability company shall not exceed the allowable credit the department has certified.

I. In the event of a discrepancy between a requirement of 3.4.24 NMAC and an existing New Mexico regulation and licensing department or New Mexico taxation and revenue department rule promulgated prior to the adoption

3.4.24 NMAC's, the existing rule shall govern.
[3.4.24.8 NMAC - N, 09/10/2024]

3.4.24.9 TAX CREDIT ADMINISTRATION:

A. A taxpayer may apply for a clean car income tax credit from the energy, minerals, and natural resources department on an electronic form and in the manner prescribed by that department. The department will not accept paper applications or applications submitted by e-mail unless specifically authorized by the division.

B. An application package for a clean car charging unit shall include a completed clean car charging unit corporate income tax credit electronic application and all required documents attachments.

(1) Partial applications will not be accepted.

(2) After the department has certified an application, applicants may not amend the certified application package to seek additional credits for that charging unit.

(3) If there are multiple owners of a clean car motor vehicle charging unit, they must submit a joint application.

C. If the energy, minerals, and natural resources department determines that the taxpayer meets the requirements for a clean car charging unit tax credit, the department shall issue a certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable year in which the credit may be claimed.

(1) If an inspection is required for the charger, the final passing inspection date will determine tax year eligibility.

(2) If an inspection is not required for the charger, the date of purchase or installation will determine tax year eligibility, whichever comes later.

[3.4.24.9 NMAC - N, 09/10/2024]

3.4.24.10 APPLICATION REQUIREMENTS

A. The state tax credit is available for purchase and installation of a clean car charging unit designed for charging electric vehicles, plug-in hybrid electric vehicles or fuel cell vehicles purchased and installed between May 15, 2024, and January 1, 2030.

B. Applications for the state tax credit shall be made no later than one year from the date the charging unit is purchased or, if the unit is installed, the installation date.

C. The application package shall meet the requirements of 3.4.24. If an application package fails to meet a requirement, the department shall disapprove the application.

[3.4.24.10 NMAC - N, 09/10/2024]

3.4.24.11 APPLICATION:

A. An applicant may apply for a New Mexico clean car charging unit corporate income tax credit by submitting an application for a certificate of eligibility to the division using a department-developed application or an approved electronic application system.

B. To be considered complete, an application must include the state tax credit application and any required attachments.

C. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the tax credit that would have been claimed on a joint return.

D. The completed application shall consist of the following:

(1) The applicant's name, mailing address, e-mail address, county of installation, telephone number and last four of applicant's social security number or employer identification number (EIN) provided by a business applicant;

(2) The address where the clean car charging unit is located.

(3) Name of the electric utility service provider for that address.

(4) Whether the clean car charging unit is for private or public use.

(5) Total purchase price and price of any labor to install the operating clean car charging unit.

(6) If applicable, the date the charging unit received a successful electrical inspection.

(7) The charging unit specification sheet and description.

(a) A charging unit specification sheet must specify the connector type(s), plug type(s), manufacturer, model, serial number, voltage, and amperage, of the electric vehicle charging unit, and whether the current is alternating or direct;

(b) For a fuel cell charging unit, technical specifications on the fuel dispensing unit and fuel storage system, including information about operational pressures of the fuel cell charging unit.

(8) A statement the applicant signed and dated, which may be a form of electronic signature if approved by the department, agreeing:

(a) all information provided in the application package is true and correct to the best of the applicant's knowledge;

(b) the applicant has read the certification requirements contained in 3.4.24;

(c) the applicant understands that the department must certify the clean car charging unit documents in the application package before the applicant becomes eligible for a state tax credit;

(d) a taxpayer who received the 2021 sustainable building tax credit for expenses of purchasing or installing an electric vehicle charging unit or fuel cell charging unit shall not be eligible to claim the tax credit, and;

(e) the clean car charging unit was

installed in full compliance with all applicable federal, state, and local government statutes, ordinances, rules, regulations, codes and standards that were in effect at the time of installation.
[3.4.24.11 NMAC - N, 09/10/2024]

3.4.24.12 APPLICATION ATTACHMENTS:

A. An application for a clean car charging unit corporate income tax credit shall contain the following information as attachments:

(1) proof of clean car charging unit purchase;

(2) itemized installation receipt; the itemized invoice shall include description of work performed, installation labor cost, charging unit cost, electrical amperage and voltage, and material costs;

(3) post-installation digital photo of operating clean car charging unit.

(4) clean car charging unit specification sheet;

(a) a charging unit data sheet must specify the connector type(s), plug type(s), manufacturer, model, serial number, voltage, and amperage of the electric vehicle charging unit, and whether the electrical current is alternating or direct;

(b) a fuel cell charging unit must specify technical specifications on the fuel dispensing unit and fuel storage system, including information about operational pressures of the fuel cell charging unit' and;

(c) the specification sheet must match the charging unit submitted for the tax credit;

(5) A copy of any applicable building code authority inspections, including permit number, issuance date, and date of inspection, noted on a physical form, or a photo of inspection sticker or a web-based report approved by the applicable building code authority, or similar document if applicable;

(6) Any additional information the energy,

minerals and natural resources department may require to determine tax credit eligibility.
[3.4.24.12 NMAC - N, 09/10/2024]

3.4.24.13 APPLICATION REVIEW PROCESS:

A. The department shall consider complete applications in the order received.

B. The department shall review the application package to check the accuracy of the applicant's documentation, determine whether the department shall certify the clean car charging unit and calculate the amount of the state tax credit.

(1) The department shall disapprove an application that is not complete, correct, or does not meet the approval criteria.

(2) Duplicate applications or multiple submissions for the same project will be rejected.

C. If the department finds the application package meets the requirements of 3.4.24, and a state tax credit is available, the department shall certify the applicant's claim for clean car charging unit.

D. If applicable, the department's disapproval notification shall state the reasons why the department disapproved the application. The applicant may resubmit a corrected electronic application package for a disapproved project, and it shall be placed at the beginning of the queue and reviewed as if it were a new application.
[3.4.24.13 NMAC - N, 09/10/2024]

3.4.24.14 CLEAN CAR CHARGING UNIT REQUIREMENTS:

A. A direct current fast charger must provide at least 50 kilowatts of direct current electrical power for charging an electric vehicle through a connector based on fast charging equipment standards and is approved for installation for that purpose under the National Electrical Code through an underwriter's laboratories certification or an equivalent certifying organization.

B. An electrical vehicle charger used to provide electricity to an electric vehicle or plug-in hybrid electric vehicle must be designed to create a connection between an electricity source and the electric vehicle or plug-in hybrid vehicle; and uses the electric vehicles or plug-in hybrid electric vehicle’s control system to ensure that electricity flows at an appropriate voltage and current level.

C. A fuel cell charging unit is a facility or unit that dispenses liquefied or compressed hydrogen for fuel cell vehicle refueling and is approved for installation for that purpose under applicable codes and compliant with the requirements of applicable certifying organizations.

D. The clean car charging unit must be made of new equipment, components, and materials to be eligible for a tax credit.

E. Charging unit equipment must meet the following requirements:

(1) Charging software is able to connect to OpenADR or OCPP.

(2) Charging unit can connect to Wi-Fi or wireless networking technology.

(3) Charging unit is a ‘Listed’ or ‘Recognized’ product under the production control of the issuing NRTL.
[3.4.24.14 NMAC - N, 09/10/2024]

3.4.24.15 CALCULATING THE STATE TAX CREDIT:

A. The tax credit is limited to the purchase and the installation labor cost for the clean car charging unit, whichever is less.

B. The amount of tax credit shall be:

(1) For a direct current fast charger or fuel cell charging unit, \$25,000 or the cost to purchase and install the direct current fast charger or fuel cell charging unit, whichever is less.

(2) For all other electric vehicle charging units, \$400 or the cost to purchase and install the electric vehicle charging

unit, whichever is less.
[3.4.24.15 NMAC - N, 09/10/2024]

3.4.24.16 CERTIFICATION:

A. The energy, minerals and natural resources department shall provide the applicant with the certificate of eligibility in an electronic format.

B. The department provides certification through electronic notification to the applicant. The notification shall include the applicant’s contact information, last four digits of the social security number or EIN, clean car charging unit certification number and the state tax credit amount.

C. If, after the department has issued a certification, any of the requirements are found to be insufficient, the department may rescind the certification.
[3.4.24.16 NMAC - N, 09/10/2024]

3.4.24.17 CLAIMING THE STATE TAX CREDIT:

A taxpayer who has received certificate of eligibility to claim the tax credit must apply to the taxation and revenue department and shall provide the taxation and revenue department with a copy of the certification of eligibility in manner and within a timeframe prescribed by the taxation and revenue department.
[3.4.24.17 NMAC - N, 09/10/2024]

HISTORY OF 3.4.24 NMAC:
[RESERVED]

SUPERINTENDENT OF INSURANCE, OFFICE OF

**TITLE 13 INSURANCE
CHAPTER 2 INSURANCE
COMPANY LICENSING AND
OPERATION
PART 12 HEALTH CARE
CONSOLIDATION OVERSIGHT**

13.2.12.1 ISSUING AGENCY: Office of Superintendent of Insurance.
[13.2.12.1 NMAC – N/E, 05/15/2024; N, 09/10/2024]

13.2.12.2 SCOPE: This rule applies to any proposed transactions that involve a New Mexico hospital as regulated by the Health Care Consolidation Oversight Act, Chapter 59A, Article 63 NMSA 1978.
[13.2.12.2 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.3 STATUTORY AUTHORITY: Authority for this rule derives from the superintendent’s powers under Sections 59A-2-9 and from 59A-63-1 NMSA 1978 *et seq.*, the Health Care Consolidation Oversight Act.
[13.2.12.3 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.4 DURATION: Permanent.
[13.2.12.4 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.5 EFFECTIVE DATE: September 10, 2024 unless a later date is cited at the end of a section.
[13.2.12.5 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.6 OBJECTIVE: The purpose of this rule is to establish the standards for meeting the requirements of the health care consolidation oversight act and to provide details related to the superintendent’s oversight of proposed transactions.
[13.2.12.6 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.7 DEFINITIONS: For the purpose of this rule, the following terms have the following meanings:

A. “acquisition” has the same meaning as defined in Subsection A of Section 59A-63-2 NMSA 1978;

B. “act” means the health care consolidation oversight act, Chapter 59A, Article 63 NMSA 1978;

C. “affiliation” has the same meaning as defined in Subsection B of Section 59A-63-2 NMSA 1978;

D. “authority” has the same meaning as defined in Subsection C of Section 59A-63-2 NMSA 1978;

E. “control” has the same meaning as defined in Subsection D of Section 59A-63-2 NMSA 1978;

F. “essential services” has the same meaning as defined in Subsection E of Section 59A-63-2 NMSA 1978;

G. “health care provider” has the same meaning as defined in Subsection F of Section 59A-63-2 NMSA 1978;

H. “health insurer” has the same meaning as defined in Subsection G of Section 59A-63-2 NMSA 1978;

I. “hospital” has the same meaning as defined in Subsection H of Section 59A-63-2 NMSA 1978;

J. “insurance holding company law” means Chapter 59A, Article 37 NMSA 1078;

K. “management services organization” has the same meaning as defined in Subsection I of Section 59A-63-2 NMSA 1978;

L. “notice” means a notification to the superintendent of a proposed transaction on a form provided by the superintendent, and when completed provides all the information required by Subsection E of 59A-63-2 NMSA 1978;

M. “office” or “OSI” has the same meaning as defined in Subsection J of Section 59A-63-2 NMSA 1978;

N. “office of general counsel” means the office of general counsel of the office of superintendent of insurance;

O. “party” or “parties” has the same meaning as defined in Subsection K of Section 59A-63-2 NMSA 1978;

P. “person” has the same meaning as defined in Subsection L of Section 59A-63-2 NMSA 1978;

Q. “proposed transaction” means a transaction as defined in Subsection N of Section 59A-63-2 NMSA 1978, that is subject

to the review of the superintendent under the act;

R. “significantly modified” means a material change, alteration, or amendment to the scope of the proposed transaction from that outlined in the initial notice, that is significant enough to affect the outcome of the superintendent’s determination;

S. “superintendent” has the same meaning as defined in Subsection M of Section 59A-63-2 NMSA 1978;

T. “toll” or “tolled” means a suspension of the 120-day time period that begins when the notice of proposed transaction is deemed complete by the superintendent or designee; and

U. “transaction” has the same meaning as defined in Subsection N of Section 59A-63-2 NMSA 1978.

[13.2.12.7 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.8 APPLICABILITY, OVERSIGHT PROVISIONS AND PRESUMPTION OF CONTROL:

A. The oversight power of the office pursuant to the act applies to proposed transactions that involve a New Mexico hospital.

B. Being subject to the act does not preclude or negate any person regulated pursuant to the insurance hold company law.

C. Control is presumed to exist if a person, directly or indirectly, owns, controls, or holds fifteen percent or more of the power to vote or holds proxies representing fifteen percent or more of the voting securities of any other person.

D. The presumption may be rebutted by a showing in the manner provided by Section 59A-37-19 NMSA 1978 that control does not in fact exist.

[13.2.12.8 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.9 NOTICE OF PROPOSED TRANSACTION:

A. Parties to a proposed transaction may submit a written request to the office of general

counsel via the email provided on the office’s website, for a pre-notice conference to determine if they are required to file a notice or to discuss the potential extent of the review with the superintendent or designee.

B. At least one person that is a party to a proposed transaction shall submit to the office via the email provided on the office’s website, a written notice of the proposed transaction on the notice of proposed transaction form provided by the superintendent.

C. The notice of the proposed transaction shall include:

(1) a list of the parties, the terms of the proposed transaction and copies of all transaction agreements between any of the parties;

(2) a statement describing the goals of the proposed transaction and whether and how the proposed transaction affects health care services in New Mexico;

(3) the geographic service area of any hospital affected by the proposed transaction;

(4) a description of the groups or individuals likely to be affected by the transaction; and

(5) a summary of the health care services currently provided by any of the parties and any health care services that will be added, reduced or eliminated, including an explanation of why any services will be reduced or eliminated in the service area in which they are currently provided.

D. If a party to the proposed transaction is a health insurer, the notice shall be submitted as an addendum to any filing required by the insurance holding company law, Sections 59A-37-4 through 59A-37-10 NMSA 1978.

[13.2.12.9 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.10 PAYMENT OF COSTS, REQUIREMENTS FOR CONSULTATION AND EXPERTS:

A. The office shall consult with the authority about

the potential effect of the proposed transaction and incorporate the authority’s recommendations into the office’s final determination.

B. The office may retain actuaries, accountants, attorneys, or other professionals who are qualified and have expertise in the type of transaction under review as necessary to assist the office in conducting its review of the proposed transaction.

C. The office shall notify parties before any costs are incurred when a transaction review requires the use of outside experts, including the estimated cost of the outside expert’s services.

D. The parties shall pay the reasonable costs and expenses incurred by the office in the performance of the office’s or authority’s duties pursuant to the act for costs associated with the office’s contracts with experts, unless determined otherwise by the superintendent.

E. The parties shall not effectuate a transaction without the written approval of the superintendent. The submitting party shall notify the office of general counsel in writing via the email address located on the office’s website, when the transaction has been effectuated.

[13.2.12.10 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.11 REVIEW OF NOTICE AND TOLLING:

A. Upon receipt of a complete notice of a proposed transaction:

(1) the office shall determine if the transaction is urgently necessary to maintain the solvency of a hospital or if there is an emergency that threatens the continued provision of immediate health care services;

(2) in such circumstances, the office may agree to an immediate approval of a transaction with or without conditions;

(3) the office shall inform the authority of the filing

of the notice of proposed transaction.

B. Entry into a binding agreement before a transaction is effectuated is not a violation of the act if the transaction remains subject to regulatory review and approval.

C. A notice of a proposed transaction shall be deemed completed by the office on the date when all the information required by the act or requested by the office is submitted by all parties to the transaction, as applicable.

D. The superintendent or designee shall inform the parties and the authority in writing of the date when the notice of a proposed transaction is complete and the 120-day time period for review by the superintendent or designee begins.

E. If the scope of the proposed transaction is determined by the superintendent or designee to be significantly modified from that outlined in the initial notice, the 120-day time period set out in the act shall be restarted by the office.

F. The parties must notify the superintendent in writing via the email provided on the office’s website, if the scope of the proposed transaction is significantly modified.

G. The time periods shall be tolled during any time in which the office has requested and is awaiting further information necessary to complete a review, from the parties to a transaction.

[13.2.12.11 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.12 REVIEW OF PROPOSED TRANSACTION BY THE OFFICE:

A. Within 120-days of receiving a completed notice of a proposed transaction, the office shall complete a review, confer with the authority and either:

(1) approve the proposed transaction;

(2) approve the proposed transaction with conditions; or

(3) disapprove the proposed transaction.

B. In conducting a review of a proposed transaction,

the office may consider the likely effect in New Mexico of the proposed transaction on:

(1) the potential reduction or elimination in access to essential services;

(2) the availability, accessibility and quality of health care services to any community affected by the transaction;

(3) the health care market share of a party and whether the transaction may foreclose competitors of a party from a segment of the market or otherwise increase barriers to entry in a health care market;

(4) changes in practice restrictions for licensed health care providers who work at the hospital;

(5) patient costs, including premiums and out-of-pocket costs;

(6) health care provider networks; and

(7) the potential for the proposed transaction to affect health outcomes for New Mexico residents.

C. The review period may be extended if the parties agree to an extension.

[13.2.12.12 NMAC - N/E, 05/15/2024; N, 09/10/2024]

12.2.12.13 NOTIFICATION OF DETERMINATION:

A. The superintendent shall notify the submitting party in writing of the office’s determination and the reasons for the determination.

B. The office shall approve the proposed transaction after the comprehensive review if the office determines:

(1) the parties to the proposed transaction have demonstrated that the transaction will benefit the public by:

(a) reducing the growth in patient costs, including premiums and out-of-pocket costs; or

(b) maintaining or increasing access to services, especially in medically underserved areas;

(2) the proposed transaction will improve health outcomes for New Mexico residents; and

(3) there is no substantial likelihood of:

(a) a significant reduction in the availability, accessibility, affordability or quality of care for patients and consumers of the health care services; or

(b) anti-competitive effects from the proposed transaction that outweigh the benefits of the transaction. [13.2.12.13 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.14 CONFIDENTIALITY:

A. All documents, materials or other information in the possession or control of the office that are obtained by or disclosed to the office or the authority in the course of a review under the act, are confidential.

B. Pursuant to Subsection B of Section 59A-2-12 NMSA 1978:

(1) upon receipt of a written request for a pre-notice conference or a notice of a proposed transaction, the superintendent shall open a confidential case in the office’s docketing system to file any and all documents, materials, or other information pertaining to the notice of proposed transaction received by the office;

(2) the superintendent shall open a case in a file hosting service for the parties to produce and share documents in a secure trusted platform for the duration of the review of the proposed transaction, through the post-transaction reporting period;

(3) any written communication related to a proposed transaction shall be deemed confidential by the superintendent; and

(4) a case opened as confidential pursuant to the act, will be closed as confidential by

the superintendent after the reporting period has concluded. [13.2.12.14 NMAC - N/E, 05/15/2024; N, 09/10/2024]

13.2.12.15 POST-TRANSACTION REPORTING AND OVERSIGHT :

A. The person that acquired control over the hospital through an approved or conditionally approved transaction shall submit annual reports for three years from the date the transaction is approved, to the office and to the authority on a form provided by the office and via the email provided on the office’s website.

B. The report shall:
(1) describe compliance with conditions placed on the transaction, if any;

(2) describe any growth, any decline, and other changes in services provided by the person; and

(3) provide analyses of cost trends and cost growth trends of the hospital.

C. The requirements of this section are not affected by the delayed repeal in Section 59A-63-9 NMSA 1978.

[13.2.12.15 NMAC - N/E, 05/15/2024; N, 09/10/2024]

History of 13.2.12 NMAC:

13.2.12 NMAC – Health Care Consolidation Oversight, filed as an emergency rule, 05/15/2024, was replaced and made permanent by 13.2.12 NMAC - Health Care Consolidation Oversight, effective 09/10/2024.

SUPERINTENDENT OF INSURANCE, OFFICE OF

This is an amendment to 13.1.4 NMAC Sections 3, 7, 8, 9, 11, 12 and 13, effective 09/10/2024.

13.1.4.3 STATUTORY AUTHORITY: [Section 14-4-5.8 NMSA 1978; 1.24.25.8 NMAC.] Sections 14-4-1 *et seq.*, NMSA 1978, State Rules Act, and Section 59A-2-9

NMSA 1978. [13.1.4.3 NMAC - N, 7/1/2019; A, 09/10/2024]

13.1.4.7 DEFINITIONS: This rule adopts the definitions found in Section 14-4-2 NMSA 1978 and in 13.1.1.7 NMAC. In addition:

A. **“Business day”** means Monday through Friday, excluding holidays observed by the state.

[A:] B. **“Final order”** also means “concise explanatory statement” as described in Section 14-4-5.5 NMSA 1978.

[B:] C. **“Logical outgrowth”** occurs when a final rule differs from the proposed rule if interested parties should have anticipated that the change was possible, and thus reasonably should have filed their comments on the subject during the notice-and-comment period.

[C:] D. **“OSI”** means the New Mexico office of superintendent of insurance.

[D:] ~~**“Recommended decision”** means the written decision of any designated hearing officer which contains a description of the rulemaking proceeding, a summary of any written comments submitted to the superintendent, a summary of any oral comments made at the public hearing, any analysis or conclusions of the designated hearing officer, and recommendations to the superintendent concerning adoption, rejection, or amendment of the proposed rule.~~

[13.1.4.7 NMAC - N, 7/1/2019; A, 09/10/2024]

13.1.4.8 INITIATION OF THE RULEMAKING PROCESS BY THE SUPERINTENDENT:

A. The rulemaking process may be initiated by the superintendent through a notice for a rule hearing that is publicly posted pursuant to this rule and pursuant to Section 14-4-5.2 NMSA 1978.

B. The superintendent shall proceed with the rulemaking process by posting public notice, publishing the proposed rule for

comment, and setting a public rule hearing in accordance with the State Rules Act and any other applicable law.

C. Once the superintendent initiates the rulemaking process, the superintendent must maintain a rulemaking record as prescribed in Section 14-4-5.4 NMSA 1978. [13.1.4.8 NMAC - N, 7/1/2019; A, 09/10/2024]

13.1.4.9 INITIATION OF THE RULEMAKING PROCESS BY THE PUBLIC:

A. Any person may file a petition for rulemaking with the superintendent.

B. A petition for rulemaking shall be made in writing and include an explanation of the purpose or statement of reasons for the proposed rule. A petition shall include a citation to the legal authority authorizing the superintendent to adopt the rule and a copy of or citation to technical information, if any, that serves as the basis for the proposed rule. A petition should be as clear as possible and may include the proposed rule in underline and strikethrough format, consistent with requirements of the state records administrator.

C. The superintendent shall, if required by law, consider the petition and make a determination within 30 calendar days whether to grant or deny the petition. If the superintendent denies the petition, the superintendent shall issue a final order explaining the reason for denial. No affirmative duty to respond to a public petition is created by these rules. If a public right to petition the superintendent exists in the insurance code, the superintendent must follow all timelines or responses governed by the insurance code.

D. Once the superintendent initiates the rulemaking process, the superintendent must maintain a rulemaking record as prescribed in Section 14-4-5.4 NMSA 1978. [13.1.4.9 NMAC - N, 7/1/2019; A, 09/10/2024]

13.1.4.11 WRITTEN COMMENT PERIOD:

A. The public comment period must be at least 30 calendar days, beginning after publication of the notice in the New Mexico register and issuance of the rulemaking notice. The superintendent shall not adopt a proposed rule before the end of the public comment period.

B. As long as the public comment period is at least 30 calendar days, the public comment period will close for initial comments at 4:00 p.m. ~~[on the day of the public hearing,] five days prior to the date of the hearing [or on the last day of the public hearing if the public hearing extends for more than one day].~~ For purposes only of responses to written comments or oral comments at the public hearing, the public response period will ~~[extend at least 10 calendar days beyond the public hearing or close of the 30 day comment period, whichever is later, unless the necessity of adopting or publishing the rule by a certain date makes the extension of the public response period impractical.]~~ close at 4:00 p.m. one business day after the date of the final public hearing.

C. A person may submit, by mail or electronic form, written comments or responses to comments on a proposed rule, and those comments or responses shall be made part of the rulemaking record. ~~[Written comments may be submitted through the end of the public comment period, and responses to comments may be submitted for an additional 10 days, unless the necessity of adopting or publishing the rule by a certain date makes a response period impractical.]~~

D. The superintendent may decide to amend the comment period, or response period, if the superintendent provides to the public, as defined in Section 14-4-2 NMSA 1978, notice of the changes.

E. The superintendent shall post all written comments and responses on the OSI website and on the sunshine portal, as soon as practicable, and no more than three

business days following receipt to allow for public review. All written comments and responses received by the superintendent shall also be available for public inspection at the main office of OSI.

[13.1.4.11 NMAC - N, 7/1/2019; A, 09/10/2024]

13.1.4.12 PUBLIC HEARING:

A. Prior to adopting a proposed rule, the superintendent must hold a public rule hearing. The purpose of the hearing is to provide all interested persons a reasonable opportunity to submit data, views or arguments orally or in writing on the proposed rule. The superintendent, at the superintendent's discretion, directly or through a designated hearing officer, may determine whether to hold more than one hearing.

B. The superintendent may act as the hearing officer or designate an individual hearing officer to preside over the hearing. The hearing officer may ask questions and provide comments for clarification purposes only, but should refrain from providing opinions or engaging in discussion regarding the merits of the proposed rule or any public comment presented. All written comments submitted during the public comment period, as well as any written comments submitted during the hearing, will be made part of the rulemaking record.

C. Individuals wishing to provide public comment or submit information at the hearing must state their name and any relevant affiliation for the rulemaking record and must be recognized by the hearing officer before presenting. Public comment shall not be taken under oath unless required by law or separate rule. Any individual who provides public comment at the hearing may be questioned by the superintendent or hearing officer or, at the discretion of the superintendent or hearing officer, or as otherwise provided by law, by other persons at the hearing.

D. The hearing shall be conducted in a fair and equitable

manner. The superintendent or hearing officer may determine the format in which the hearing is conducted (e.g. introduction of each part or section one at a time for comment), but the hearing will be conducted in a simple and organized manner that facilitates public comment and a clear rulemaking record.

E. The rules of evidence do not apply to public rule hearings and the superintendent or hearing officer may, in the interest of efficiency, exclude or limit comment or questions deemed irrelevant, redundant, or unduly repetitious.

F. The superintendent must hold the hearing in a venue that reasonably accommodates all persons who wish to participate or observe, and appropriate audio equipment should be secured to ensure all in attendance can hear the proceeding and be heard when presenting comment. Reasonable efforts shall be made to accommodate the use of audio and video recording devices. Hearings shall be open to the public, but are not subject to the New Mexico Open Meetings Act.

G. The hearing shall be recorded by any stenographic method in use in the district court or by audio recording.
[13.1.4.12 NMAC - N, 7/1/2019; A, 09/10/2024]

13.1.4.13 RULEMAKING RECORD AND ADOPTION OF RULE:

A. The superintendent shall maintain a record of the rulemaking proceeding as required in Section 14-4-5.4 NMSA 1978, and any written comment, document, or other exhibit entered into the record during the rule hearing shall be labeled clearly. Pre-filed written comments are part of the rulemaking record without the need for formal admission. Pre-filed comments include, but are not limited to: the petition; public notices of the rulemaking, including any lists of individuals to whom notice was mailed or sent electronically; the proposed rule in underline and

strikethrough format; and any written comment submitted during the comment period prior to the rule hearing. Written comments or other documents introduced during the hearing should be admitted into the rulemaking record after being marked as an exhibit.

B. If the rule hearing is conducted by a designated hearing officer, the complete rulemaking record, including any memoranda summarizing the contents of the hearing, if written, shall be compiled and forwarded to the superintendent with sufficient time to review. The superintendent shall review the rulemaking record [~~and the hearing officer's recommended decision~~] before rendering a final decision on the proposed rule.

C. The superintendent may adopt, amend, or reject the proposed rule. Any amendments to the proposed rule must fall within the scope of the current rulemaking proceeding. Amendments to a proposed rule are within the scope of the rulemaking if the amendments:

(1) are a logical outgrowth of the rule proposed in the notice; or

(2) are proposed, or are reasonably suggested, by comments made during the comment period, and the 10 day response period after the close of the comment period has been provided; and

(a) any person affected by the adoption of the rule, if amended, should have reasonably expected that any change from the published proposed rule would affect that person's interest; or

(b) the subject matter of the amended rule or the issues determined by that rule are the same as those in the published proposed rule.

D. The date of adoption of the proposed rule shall be the date the final order is signed by the superintendent, unless otherwise specified in the final order.

E. In accordance with Section 14-4-5.5 NMSA 1978, [~~The~~] the final order [~~may adopt~~

~~by reference some or all of any recommended decision and shall include by reference or otherwise,]~~ shall include but not be limited to, the following:

- (1) citation to specific statutory or other authority authorizing the rule;
- (2) effective date of the rule;
- (3) date of adoption of the rule, if different than the date of the final order;
- (4) reasons for adopting the rule, including any findings otherwise required by law of the superintendent, and a summary of any independent analysis done by the superintendent;
- (5) reasons for any change between the published proposed rule and the final rule; [~~and~~]
- (6) any findings required by a provision of law for adoption of the rule; and
- (7) reasons for not accepting substantive arguments made through public comment.
[13.1.4.13 NMAC - N, 7/1/2019; A, 09/10/2024]

History of 13.1.4 NMAC:
[RESERVED]

SUPERINTENDENT OF INSURANCE, OFFICE OF

This is an amendment to 13.21.3 NMAC Sections 2, 3, 7, 8, 9, 11, 12 and 13, effective 09/10/2024.

13.21.3.2 SCOPE: This rule applies to all proceedings relating to the Patient's Compensation Fund (the fund) in which the superintendent adopts rules as required by [~~law~~] the MMA.
[13.21.3.2 NMAC - N/E, 3/01/2019; Rp, 13.21.3.2 NMAC, 4/30/2019 A, 01/01/2022; A, 09/10/2024]

13.21.3.3 STATUTORY AUTHORITY: [~~Section 14-4-5.8-NMSA 1978; 1.24.25.8 NMAC;~~] Sections 14-4-1 et seq, NMSA 1978, State Rules Act, and Section 59A-2-9 NMSA 1978.

[13.21.3.3 NMAC – N/E, 3/01/2019; Rp, 13.21.3.3 NMAC, 4/30/2019; A, 09/10/2024]

13.21.3.7 DEFINITIONS:

This rule adopts the definitions found in Section 41-5-3 NMSA 1978, in Section 14-4-2 NMSA 1978, in Chapter 59A, Article 1 NMSA 1978, in 1.24.1.7 NMAC, and in 13.21.1.7 NMAC. In addition:

A. “Business day” means Monday through Friday, excluding holidays observed by the state.

~~[A:]~~ **B. “Final order”** also means “concise explanatory statement” as described in Section 14-4-5.5 NMSA 1978.

~~[B:]~~ **C. “Logical outgrowth”** occurs when a final rule differs from the proposed rule if interested parties should have anticipated that the change was possible, and thus reasonably should have filed their comments on the subject during the notice-and-comment period.

~~[C.]~~ **“Recommended decision”** means the written decision of any designated hearing officer which contains a description of the rulemaking proceeding, a summary of any written comments submitted to the superintendent, a summary of any oral comments made at the public hearing, any analysis or conclusions of the designated hearing officer, and recommendations to the superintendent concerning adoption, rejection, or amendment of the proposed rule.]

D. “MMA” means medical malpractice act as described in Sections 41-5-1 *et seq.*, NMSA 1978.

E. “PCF” means patient compensation fund as described in Subsection A of Section 41-5-25 NMSA 1978.

[13.21.3.7 NMAC – N/E, 3/01/2019; Rp, 13.21.3.7 NMAC, 4/30/2019; A, 01/01/2022; A, 09/10/2024]

13.21.3.8 INITIATION OF THE RULEMAKING PROCESS BY THE SUPERINTENDENT:

A. The rulemaking

process may be initiated by the superintendent through a notice for a rule hearing that is publicly posted pursuant to this rule and pursuant to Section 14-4-5.2 NMSA 1978.

B. The superintendent shall proceed with the rulemaking process by posting public notice, publishing the proposed rule for comment, and setting a public rule hearing in accordance with the State Rules Act and any other applicable law.

C. Once the superintendent initiates the rulemaking process, the superintendent must maintain a rulemaking record as prescribed in Section 14-4-5.4 NMSA 1978. [13.21.3.8 NMAC – N/E, 3/01/2019; Rp, 13.21.3.8 NMAC, 4/30/2019; A, 09/10/2024]

13.21.3.9 INITIATION OF THE RULEMAKING PROCESS BY THE PUBLIC:

A. Any person may file a petition for rulemaking with the superintendent.

B. A petition for rulemaking shall be made in writing and include an explanation of the purpose or statement of reasons for the proposed rule. A petition shall include a citation to the legal authority authorizing the superintendent to adopt the rule and a copy of or citation to technical information, if any, that serves as the basis for the proposed rule. A petition should be as clear as possible and may include the proposed rule in underline and strikethrough format, consistent with requirements of the state records administrator.

C. The superintendent shall, if required by law, consider the petition and make a determination within 30 calendar days whether to grant or deny the petition. If the superintendent denies the petition, the superintendent shall issue a final order explaining the reason for denial. No affirmative duty to respond to a public petition is created by these rules. If a public right to petition the superintendent exists under the MMA, the superintendent must follow all

timelines or responses governed by the MMA.

D. Once the superintendent initiates the rulemaking process, the superintendent must maintain a rulemaking record as prescribed in Section 14-4-5.4 NMSA 1978. [13.21.3.9 NMAC – N/E, 3/01/2019; Rp, 13.21.3.9 NMAC, 4/30/2019; A, 09/10/2024]

13.21.3.11 WRITTEN COMMENT PERIOD:

A. The public comment period must be at least 30 calendar days, beginning after publication of the notice in the New Mexico register and issuance of the rulemaking notice. The superintendent shall not adopt a proposed rule before the end of the public comment period.

B. As long as the public comment period is at least 30 calendar days, the public comment period will close for initial comments at 4:00 p.m. ~~[on the day of the public hearing, or on the last day of the public hearing if the public hearing extends for more than one day]~~ five days prior to the date of the hearing. For purposes only of responses to written comments or oral comments at the public hearing, the public comment period will ~~[extend]~~ close at ~~[least 10 calendar days beyond the public hearing or close of the 30 day comment period, whichever is later, unless the necessity of adopting or publishing the rule by a certain date makes the extension of the public comment period impractical]~~ 4:00 p.m. one business day after the date of the final public hearing.

C. A person may submit, by mail or in electronic form, written comments or responses to comments on a proposed rule, and those comments or responses shall be made part of the rulemaking record. ~~[Written comments may be submitted through the end of the public comment period, and responses to comments may be submitted for an additional 10 days, unless the necessity of adopting or publishing the rule by a certain date makes a response period impractical.]~~

D. The superintendent may decide to amend the comment period, or response period, if the superintendent provides to the public, as defined in Section 14-4-2 NMSA 1978, notice of the changes.

E. The superintendent shall post all written comments and responses on the patient’s compensation fund website, and on the sunshine portal as soon as practicable, and no more than three business days following receipt to allow for public review. All written comments and responses received by the superintendent shall also be available for public inspection at the main office of the superintendent. [13.21.3.11 NMAC – Rp, 13.21.3.11 NMAC, 4/30/2019; A, 01/01/2022; A, 09/10/2024]

13.21.3.12 PUBLIC HEARING:

A. Prior to adopting a proposed rule, the superintendent must hold a public rule hearing. The purpose of the hearing is to provide all interested persons a reasonable opportunity to submit data, views or arguments orally or in writing on the proposed rule. The superintendent, at the superintendent’s discretion, directly or through a designated hearing officer, may determine whether to hold more than one hearing.

B. The superintendent may act as the hearing officer or designate an individual hearing officer to preside over the hearing. The hearing officer may ask questions and provide comments for clarification purposes only, but should refrain from providing opinions or engaging in discussion regarding the merits of the proposed rule or any public comment presented. All written comments submitted during the public comment period, as well as any written comments submitted during the hearing, will be made part of the rulemaking record.

D. Individuals wishing to provide public comment or submit information at the hearing must state their name and any relevant affiliation

for the rulemaking record and must be recognized by the hearing officer before presenting. Public comment shall not be taken under oath unless required by law or separate rule. Any individual who provides public comment at the hearing may be questioned by the superintendent or hearing officer or, at the discretion of the superintendent or hearing officer, or as otherwise provided by law, by other persons at the hearing.

E. The hearing shall be conducted in a fair and equitable manner. The superintendent or hearing officer may determine the format in which the hearing is conducted (e.g. introduction of each part or section one at a time for comment), but the hearing will be conducted in a simple and organized manner that facilitates public comment and a clear rulemaking record.

F. The rules of evidence do not apply to public rule hearings and the superintendent or hearing officer may, in the interest of efficiency, exclude or limit comment or questions deemed irrelevant, redundant, or unduly repetitious.

G. The superintendent must hold the hearing in a venue that reasonably accommodates all persons who wish to participate or observe, and appropriate audio equipment should be secured to ensure all in attendance can hear the proceeding and be heard when presenting comment. Reasonable efforts shall be made to accommodate the use of audio and video recording devices. Hearings shall be open to the public, but are not subject to the New Mexico Open Meetings Act.

H. The hearing shall be recorded by any stenographic method in use in the district court or by audio recording. [13.21.3.12 NMAC – N/E, 3/01/2019; Rp, 13.21.3.12 NMAC, 4/30/2019; A, 09/10/2024]

13.21.3.13 RULEMAKING RECORD AND ADOPTION OF RULE:

A. The superintendent shall maintain a record of the

rulemaking proceeding as required in Section 14-4-5.4 NMSA 1978, and any written comment, document, or other exhibit entered into the rulemaking record during the rule hearing shall be labeled clearly. Pre-filed written comments are part of the rulemaking record without the need for formal admission. Pre-filed comments include, but are not limited to: the petition; public notices of the rulemaking, including any lists of individuals to whom notice was mailed or sent electronically; the proposed rule in underline and strikethrough format; and any written comment submitted during the comment period prior to the rule hearing. Written comments or other documents introduced during the hearing should be admitted into the rulemaking record after being marked as an exhibit.

B. If the rule hearing is conducted by a designated hearing officer, the complete rulemaking record, including any memoranda summarizing the contents of the hearing, if written, shall be compiled and forwarded to the superintendent with sufficient time to review. The superintendent shall review the rulemaking record [~~or the hearing officer’s recommended decision~~] before rendering a final decision on the proposed rule.

C. The superintendent may adopt, amend, or reject the proposed rule. Any amendments to the proposed rule must fall within the scope of the current rulemaking proceeding. Amendments to a proposed rule are within the scope of the rulemaking if the amendments:

(1) are a logical outgrowth of the rule proposed in the notice; or

(2) are proposed, or are reasonably suggested, by comments made during the comment period, and the 10 day response period after the close of the comment period has been provided, and

(a) any person affected by the adoption of the rule, if amended, should have

reasonably expected that any change from the published proposed rule would affect that person’s interest; or

(b)

the subject matter of the amended rule or the issues determined by that rule are the same as those in the published proposed rule.

D. The date of adoption of the proposed rule shall be the date the final order is signed by the superintendent, unless otherwise specified in the final order.

~~[F] E. In accordance with Section 14-4-5. NMSA 1978, [The] the final order shall include [may-adopt by reference some or all of any recommended decision and shall include by reference or otherwise,] but not be limited to, the following:~~

(1) citation to specific statutory or other authority authorizing the rule;

(2) effective date of the rule;

(3) date of adoption of the rule, if different than the date of the final order;

(4) reasons for adopting the rule, including any findings otherwise required by law of the superintendent, and a summary of any independent analysis done by the superintendent;

(5) reasons for any change between the published proposed rule and the final rule; ~~and]~~

(6) any findings required by a provision of law for adoption of the rule; and

(7) reasons for not accepting substantive arguments made through public comment.

[13.21.3.13 NMAC – N/E, 3/01/2019; Rp, 13.21.3.13 NMAC, 4/30/2019; A, 09/10/2024]

History of 13.21.3 NMAC:

13.21.3 NMAC, Procedural Rules For Public Rule Hearings, effective 3/1/2019.

History of Repealed Material:

13.21.3 NMAC, Procedural Rules For Public Rule Hearings, effective 3/1/2019 was repealed and replaced by 13.21.3 NMAC, Procedural Rules

For Public Rule Hearings, effective 4/23/2019.

End of Adopted Rules

2024 New Mexico Register

Submittal Deadlines and Publication Dates

Volume XXXV, Issues 1-24

Issue	Submittal Deadline	Publication Date
Issue 1	January 4	January 16
Issue 2	January 18	January 30
Issue 3	February 1	February 13
Issue 4	February 15	February 27
Issue 5	February 29	March 12
Issue 6	March 14	March 26
Issue 7	March 28	April 9
Issue 8	April 11	April 23
Issue 9	April 25	May 7
Issue 10	May 9	May 21
Issue 11	May 23	June 11
Issue 12	June 13	June 25
Issue 13	July 8	July 16
Issue 14	July 18	July 30
Issue 15	August 1	August 13
Issue 16	August 15	August 27
Issue 17	August 29	September 10
Issue 18	September 12	September 24
Issue 19	September 26	October 8
Issue 20	October 10	October 22
Issue 21	October 24	November 5
Issue 22	November 7	November 19
Issue 23	November 26	December 10
Issue 24	December 12	December 23

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2025 New Mexico Register Submittal Deadlines and Publication Dates Volume XXXVI, Issues 1-24

Issue	Submittal Deadline	Publication Date
Issue 1	January 3	January 14
Issue 2	January 16	January 28
Issue 3	January 30	February 11
Issue 4	February 13	February 25
Issue 5	February 27	March 11
Issue 6	March 13	March 25
Issue 7	March 27	April 8
Issue 8	April 10	April 22
Issue 9	April 24	May 6
Issue 10	May 8	May 20
Issue 11	May 23	June 11
Issue 12	June 12	June 24
Issue 13	June 26	July 15
Issue 14	July 17	July 29
Issue 15	July 31	August 12
Issue 16	August 14	August 26
Issue 17	August 28	September 9
Issue 18	September 11	September 23
Issue 19	September 25	October 7
Issue 20	October 9	October 21
Issue 21	October 23	November 4
Issue 22	November 6	November 18
Issue 23	November 20	December 9
Issue 24	December 11	December 23

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