

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Superintendent of Insurance (“OSI” or “Superintendent”) will hold an in-person public hearing regarding the amendment to **13.10.34.5 NMAC - STANDARDS FOR ACCIDENT-ONLY, SPECIFIED DISEASE, HOSPITAL INDEMNITY, DISABILITY INCOME, SUPPLEMENTAL, AND NON-SUBJECT WORKER EXCEPTED BENEFITS**. This hearing will commence on **March 3, 2023, at 10:00 a.m.**

PURPOSE OF THE PROPOSED RULE: The purpose of this amendment is to change the current effective date of the rule from July 1, 2023, as previously published in the New Mexico Register Issue 15, 8/9/2022, to January 1, 2024 to give carriers more time to make the necessary changes to business practices to be in compliance with the rule.

STATUTORY AUTHORITY: Sections 59A-18, 59A-16 and 59A-23G-3 NMSA 1978.

TO ATTEND THE HEARING:

This meeting will be held in-person at:
Office of Superintendent of Insurance
1120 Paseo de Peralta, 4th Floor Hearing Room
Santa Fe, NM 87501

The Superintendent designates Lawrence M. Marcus to act as the hearing officer for this rulemaking. Oral comments will be accepted at the public hearing from members of the public and other interested parties. Any updates concerning the hearing date, time, or location will be available by subscribing to the “Rulemaking and Ratemaking” newsletter at: <https://newsletter.osi.state.nm.us/>.

Copies of the Notice of Proposed Rulemaking and proposed new rules are available by electronic download from the OSI eDocket <https://edocket.osi.state.nm.us/guest/case-view/5831> or by requesting a copy by calling (505) 490-7103.

Written comments will be accepted through 4:00 p.m. on March 3, 2023. Responses to written comments or oral comments will be accepted through 4:00 p.m. on March 13, 2023. All comments shall be filed electronically through the OSI eDocket <https://edocket.osi.state.nm.us/guest/case-view/5831> or mailed to:

OSI Records and Docketing
NM Office of Superintendent of Insurance
P.O. Box 1689, Santa Fe, NM 87504-1689

For help submitting a filing, please contact OSI-docketfiling@state.nm.us.
The below docket number must be indicated on filed comments.

Docket No. 2023-0007

IN THE MATTER OF AMENDMENT TO 13.10.34.5 NMAC - EXCEPTED BENEFITS

All filings must be received between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. The Superintendent will consider all oral comments and will review all timely submitted written comments and responses.

SPECIAL NEEDS: Any person with a disability requiring special assistance to participate in the hearing should contact LouElla Pacheco at (505) 490-7103 no later than ten (10) business days prior to the hearing.

DONE AND ORDERED this 31st day of January, 2023.
/S/JENNIFER A. CATECHIS