

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Superintendent of Insurance (“OSI” or “Superintendent”) will hold a public hearing via videoconference regarding the **13.10.34 NMAC- STANDARDS FOR ACCIDENT ONLY, SPECIFIED DISEASE OF ILLNESS, HOSPITAL INDEMNITY AND RELATED EXCEPTED EXPENSES** and adding **13.10.34.23 NMAC- PLANS SOLD TO INDIVIDUALS COVERED UNDER MAJOR MEDICAL INSURANCE** and **13.10.34.24 NMAC- CONTINUING EDUCATION** This hearing will commence on **October 27, 2023, at 10:00 a.m. MDT.**

PURPOSE OF THE PROPOSED RULE: The purpose of this amendment is to address ancillary plans that are only sold to consumers with major medical coverage, and to address specific producer obligations surrounding Excepted Benefits.

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

TO ATTEND THE HEARING IN PERSON:

This meeting will be held in-person/online at:

Office of Superintendent of Insurance
1120 Paseo De Peralta, 4th Floor Hearing Room
Santa Fe, NM 87501

To Attend via Teams Meeting: [Click here to join the meeting](#)
Meeting ID: 226 356 778 976 Passcode: YYPBdd

To Attend via Telephone: +1 505-312-4308 ID: 654 130 951#

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: <http://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/case-view/5905> or by requesting a copy by calling (505) 795-1315.

Written comments will be accepted through 4:00 p.m. MDT on October 27, 2023. Responses to written comments or oral comments will be accepted through 4:00 p.m. MDT on November 6, 2023. All comments shall be filed electronically through the OSI eDocket <https://edocket.osi.state.nm.us/case-view/5905> or mailed to:

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

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

Docket No. 2023-0081 IN THE MATTER OF AMENDMENT TO 13.10.34 NMAC- STANDARDS FOR ACCIDENT ONLY, SPECIFIED DISEASE OF ILLNESS, HOSPITAL INDEMNITY AND RELATED EXCEPTED EXPENSES

SPECIAL NEEDS: Any person with a disability requiring special assistance to participate in the hearing should contact Jennifer Romero at (505) 795-1315 no later than ten (10) business days prior to the hearing.

DONE AND ORDERED this September 26, 2023.
/S/ ALICE T. KANE
SUPERINTENDENT OF INSURANCE