

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the Office of Superintendent of Insurance (OSI or Superintendent) will hold a public hearing in person, via video conference and telephone conference regarding 13.1.4 NMAC, Public Rule Hearings, and 13.21.3 NMAC, Procedural Rules for Public Rule Hearings (applicable to rulemaking related to the Patient Compensation Fund). **This hearing will commence on Friday, August 16, 2024 at 10:00 a.m.**

**PURPOSE OF THE PROPOSED RULE:** The purpose of this rulemaking is to amend 13.1.4 NMAC, Public Rule Hearings and 13.21.3 NMAC, Procedural Rules for Public Rule Hearings (applicable to rules related to the Patient Compensation Fund). This rulemaking proposes to remove the requirement for a recommended decision in a rulemaking proceeding conducted by the Superintendent, to make certain amendments to the requirements for the written comment period, and to clarify references to the rulemaking record in 13.4.1 NMAC and 13.21.3 NMAC.

**STATUTORY AUTHORITY:** Sections 14-4-1 *et seq.*, NMSA 1978, State Rules Act and 59A-2-9 NMSA 1978.

**TO ATTEND THE HEARING IN PERSON:** Office of Superintendent of Insurance - 1120 Paseo de Peralta, (PERA Building), 4<sup>th</sup> Floor Hearing Room, Santa Fe, NM 87501

**PLEASE NOTE:** The entrance to the PERA Building is on the ground floor. All guests must sign in with the ground floor receptionist and then will be escorted to the 4<sup>th</sup> Floor Hearing Room. Please give yourself extra time to check in before 10:00 a.m.

**TO ATTEND THE HEARING BY ELECTRONIC VIDEO CONFERENCE VIA MS TEAMS MEETING:**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YzhhZTI1N2UtZWQ3Ny00Y2M4LWI0NGQtZDJmYmVjYTk4MTkx%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%2292f8d9f0-87c0-44c3-9357-ba0eb6121f10%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzhhZTI1N2UtZWQ3Ny00Y2M4LWI0NGQtZDJmYmVjYTk4MTkx%40thread.v2/0?context=%7b%22Tid%22%3a%2204aa6bf4-d436-426f-bfa4-04b7a70e60ff%22%2c%22Oid%22%3a%2292f8d9f0-87c0-44c3-9357-ba0eb6121f10%22%7d) - Meeting ID: 284 439 745 953 Passcode: Konrc6

**TO ATTEND VIA TELEPHONE:** +1 505-312-4308 Phone Conference ID: 972 573 161#

**PUBLIC COMMENT:** The Superintendent designates Clifford Rees 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 in-person or electronically. Copies of the Notice of Proposed Rulemaking and proposed rules are available by electronic download from the OSI eDocket (<https://edocket.osi.state.nm.us/case-view/5966>) or by requesting a copy by calling Jennifer Romero at: (505)795-1315. Any copies of the Notice of Proposed Rulemaking, proposed rules, and any updates concerning the hearing date, time, or location will be available by visiting the OSI website at: <https://www.osi.state.nm.us/pages/bureaus/legal/resources/laws-rules> or on the Sunshine Portal at: [https://statenm.my.salesforce-sites.com/public/SSP\\_RuleHearingSearchPublic](https://statenm.my.salesforce-sites.com/public/SSP_RuleHearingSearchPublic) (Select “Office of Superintendent of Insurance from the “Agency” drop down menu.)

Written comments will be accepted through 4:00 p.m. on Friday August 16, 2024. Responses to written comments or oral comments will be accepted through 4:00 p.m. on Friday, August 23, 2024. All comments shall be filed electronically through the OSI eDocket (<https://edocket.osi.state.nm.us/case-view/5966>) or sent via U. S. mail to:

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

Written comments must be received by OSI and stamped as accepted 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 and consider all timely submitted written comments and written responses. For help submitting a filing, please contact [osi-docketfiling@state.nm.us](mailto:osi-docketfiling@state.nm.us). The below docket number and title must be indicated on all written comments submitted to the OSI:

**Docket No. 2024-0054** (<https://edocket.osi.state.nm.us/case-view/5966>)

**IN THE MATTER OF 13.1.4 NMAC, PUBLIC RULE HEARINGS and 13.21.3 NMAC, PROCEDURAL RULES FOR PUBLIC RULE HEARINGS**

**SPECIAL NEEDS:** Any person with a disability requiring special assistance to participate in the hearing should contact Andrea Padilla, at (505) 531-7171 no later than ten (10) business days prior to the hearing.