

**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 proposed amendments to 13.10.40 NMAC, Vaccine Purchasing Fund. **This hearing will commence on Wednesday, April 2, 2025, at 10:00 a.m., MDT.**

**PURPOSE OF THE PROPOSED RULE:** The purpose of this rulemaking is to: **1)** clean-up of the format of a citations in the rule, where necessary; **2)** update the definitions section 13.10.40.7 NMAC; **3)** update the rule from its 2015 version by repealing and replacing the entire rule; **4)** clarifying the reporting requirements for group health plans and health insurers as required by the Vaccine Purchasing Act; and, **5)** clarify the responsibilities of the OSI under the Vaccine Purchasing Act.

**STATUTORY AUTHORITY:** Sections 14-4-1 *et seq.*, NMSA 1978, State Rules Act. Sections 24-5A-6, 24-5A-7, 24-5A-8 of the Vaccine Purchasing Act and Section 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:**

Please copy the link below into your browser to get to the video conference meeting:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ODAzNTcxZGYtNDMxNy00ZDIwLWJiMGUtY2U0NjY4ZDcyYjZl%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_ODAzNTcxZGYtNDMxNy00ZDIwLWJiMGUtY2U0NjY4ZDcyYjZl%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: 213 126 441 50

Passcode: 7QZ9mk3n

**TO ATTEND VIA TELEPHONE:** +1 505-312-4308 Phone Conference ID: 231 576 097#

**PUBLIC COMMENT:** The Superintendent designates Brenda Newell as the hearing officer for this hearing. Oral comments will be accepted at the public hearing from members of the public and other interested parties in-person or via electronic video conference. Copies of the Notice of Proposed Rulemaking and proposed rule are available by electronic download from the OSI eDocket (<https://edocket.osi.state.nm.us/case-view/6034>). You may also request copies if the Notice of Proposed Rulemaking and proposed rule by emailing Brenda Newell at: [brenda.newell@osi.nm.gov](mailto:brenda.newell@osi.nm.gov) or by phone at: 505-487-0695, email communication is preferred. 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) (from the “Agency” drop down menu, select “Office of Superintendent of Insurance”)

**Written comments will be accepted through 4:00 p.m. on Thursday, March 27, 2025. Responses to written comments or to oral comments delivered at the hearing will be accepted through 4:00 p.m. on Thursday, April 3, 2025.** All comments shall be filed electronically through the OSI eDocket. Please copy the following link into your browser to get to the eDocket: <https://edocket.osi.state.nm.us/case-view/6034>

Written comments may be 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. 2025-0008 – Please copy the following link into your browser to get to the eDocket:  
<https://edocket.osi.state.nm.us/case-view/6034>**

**IN THE MATTER OF REPEAL AND REPLACE OF 13.10.40 NMAC, VACCINE PURCHASING FUND**

**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.