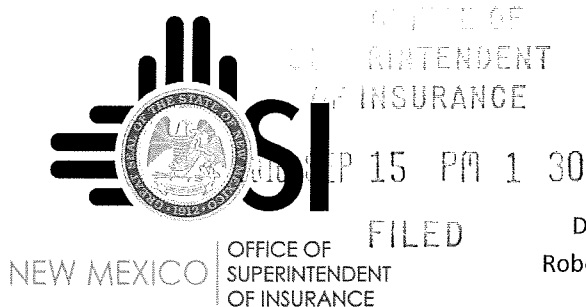


SUPERINTENDENT OF INSURANCE
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DEPUTY SUPERINTENDENT
Robert Doucette 505-827-5832

Bulletin 2016-019
August 22, 2016
September 15, 2016 (Update)

TO: ALL LIFE AND HEALTH INSURANCE CARRIERS THAT OFFER OR ADMINISTER LIFE AND HEALTH RELATED INSURANCE PLANS

RE: REQUIREMENT TO UPDATE ALL NON-COMPLIANT FORMS

[This Bulletin was updated on September 15, 2016 to correct the addressee line to include Life Insurance Carriers.]

THE FOLLOWING Bulletin is issued pursuant to NMSA 1978 Sections 59A-18-12, 59A-18-13.1, 59A-18-14, 59A-23B-6, and 59A-23C-5.1 and Sections 13.1.2.1 to 13.1.2.10 and 13.10.23.11 NMAC;

The purpose of this Bulletin is to announce the requirement that all Life Insurance and Health Insurance forms delivered or issued for delivery in New Mexico be brought into compliance with the Insurance Code, found at NMSA 1978 Section 59A-1-1 et seq., and the implementing regulations codified at NMAC Title 13 **no later than January 1, 2017**. Forms must also comply with any bulletins that have been issued by the Superintendent of Insurance. Bulletins may be viewed at the "Bulletins" link located in the Communications section of the Office of the Superintendent of Insurance (OSI) website, located at <http://www.osi.state.nm.us>.

All updated forms shall be submitted via SERFF (System for Electronic Rate and Form Filing) for review and approval by the superintendent. Forms that have been revised but not approved, that have been revised "administratively," or that have otherwise been modified outside of the formal approval system are not approved and are therefore non-compliant. Matrix policies or certificates that have been previously approved must be replaced by non-matrix filings in order to comply with this Bulletin.

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Any person issuing policies, certificates, or soliciting business in any manner based on non-compliant form filings is acting in direct violation of the Insurance Code. Violations of the Insurance Code are subject to regulatory enforcement and may result in penalties and fines.

This Bulletin applies both to forms that were approved prior to OSI's use of the SERFF system and forms that have been submitted and processed using SERFF, but which are now non-compliant.

Certificates delivered or issued for delivery in New Mexico must be approved by OSI, even if the policy and certificate has been approved by another state.

All form updates shall be submitted via SERFF and will not be considered to be compliant until they are approved by OSI and notice of such approval is provided to the carrier. Any exemption requests pertaining to non-compliant products that are submitted through SERFF will be denied.

Any person aggrieved by a Bulletin may request a hearing before the superintendent in accordance with NMSA 1978 Section 59A-4-15.

If you have additional questions regarding this Bulletin, please contact the Life and Health Bureau, Office of Superintendent of Insurance at 1-505-827-4601.

DONE and ORDERED this 15th day of September 2016.



JOHN G. FRANCHINI
Superintendent of Insurance