

STATE OF NEW MEXICO  
OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT OF INSURANCE  
Russell Toal



DEPUTY SUPERINTENDENT  
Jennifer A. Catechis

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**BULLETIN 2022-003**

**March 28, 2022**

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**TO: EVERY PERSON SUBJECT TO THE REQUIREMENTS OF §59A-18-13.2 NMSA (HEALTH CARE PLAN RATES FILING REQUIREMENTS)**

**RE: CONFIDENTIAL TREATMENT OF PROPOSED RATES SUBJECT TO THE SINGLE RISK POOL DURING THE QHP REVIEW PERIOD**

Section 59A-18-13.2 NMSA instructs that all health care plans rates and related forms shall be filed by an insurer with the Superintendent, who shall make such information available within twelve (12) days of filing.

The Superintendent is further authorized under Section 59A-18-13.2(G) NMSA to “exempt from disclosure” any part of this filing that “contains proprietary information” that would harm competition if disclosed.

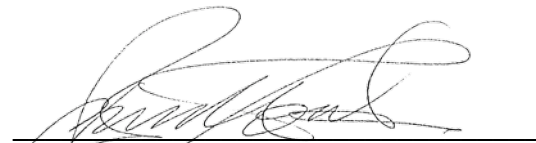
Accordingly, effective as of the date of the issuance of this bulletin, OSI has determined that the exposure of rate filings, given the substantial amount of proprietary information they contain, during the QHP review period could harm competition amongst insurers. Upon receipt of a request for confidential treatment of proposed rates or any portion of the rate filing, submitted in advance of SERFF submission, in accordance with Bulletin 2022-001, the OSI shall hold all rate-related information temporarily confidential during the QHP review period. Rates shall not be deemed permanently confidential and shall be posted in accordance Section 59A-18-13.2 NMSA once the filing is dispositioned. Carriers may request OSI review filings for permanent confidentiality in the initial request, or may request permanent confidentiality of any documents submitted during the review period at any time prior to final disposition date. Other proprietary

information will be kept permanently confidential only if the confidentiality request has been received by OSI and approved prior to the filing disposition date.

Please direct any questions concerning this guidance to Cass Brulotte, Life & Health Attorney, at [cass.brulotte@state.nm.us](mailto:cass.brulotte@state.nm.us).

**ISSUED** this 28<sup>th</sup> day of March, 2022.

**SUPERINTENDENT OF INSURANCE**



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**RUSSELL TOAL**