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BULLETIN NO. 2015-021

TO: EVERY INSURER, NONPROFIT HEALTH CARE PLAN, HEALTH
MAINTENANCE ORGANIZATION
FROM: JOHN G. FRANCHINI, SUPERINTENDENT OF INSURANCE
DATE: JUNE 1, 2015
RE: EXTENDED TRANSITION FOR SMALL GROUP PLANS, AMENDED

THIS BULLETIN SUPERSEDES NO. 2015-012.

This Bulletin is issued pursuant to Section 59A-2-8 NMSA 1978 of the New Mexico Insurance Code, 13.1.2 *et seq.* NMAC.

On March 5, 2014, the CMS Center for Consumer Information and Insurance Oversight (CCIIO) issued an Insurance Standards Bulletin outlining transitional policies and their options. The ACA includes a directive to change, as of January 1, 2016, the definition of small group from 2-50 employees to 2-100 employees. The March 5th letter indicates that states may choose whether to implement this change as of January 1, 2016, or allow states and small group insurance carriers to renew groups of 51-100 into their existing large group policies through October 1, 2015.

To see the CCIIO bulletin, go to this link:

<http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/transition-to-compliant-policies-03-06-2015.pdf>

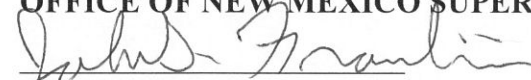
The Superintendent of Insurance has consulted with employee and carrier stakeholders and will choose the latter option. Effectively, this means that large groups of 51-100 employees will be able to re-enroll into their existing policies through October 1, 2015 and may renew for one year only. As of November 1, 2016, all groups 51-100 must be included in the small group market.

This bulletin will be in effect, unless pre-empted by federal guidance. The Superintendent has expressed his concerns to CCIIO over announcements containing new guidance issued at late dates. This bulletin is

being released in order to allow carriers to have sufficient lead time to create actuarial evaluation of risk pools before Qualified Health Plan submission deadlines.

ISSUED at Santa Fe, New Mexico on March 25, 2015.

OFFICE OF NEW MEXICO SUPERINTENDENT OF INSURANCE


John G. Franchini
Superintendent of Insurance